EXHIBIT B.106

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	UNITED STATES DISTRICT COURT	1	APPEARANCES
	SOUTHERN DISTRICT OF NEW YORK	2	
		3	Appearing for the Plaintiffs:
		4	Kent A. Yalowitz.
	MARK I. SOKOLOW, et al.,	5	Lucy McMillan
	Plaintiffs,	6	ARNOLD & PORTER LLP
	- vs - Case No.	7	399 Park Avenue
	04-CV-397(GBD)(RLE)	8	New York, NY 10022-4690
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	Defendants.	14	Brian A. Hill
		15	Michael J. Satin
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		17	655 Fifteenth Street, N.W.
	DEPOSITION OF DR. LORI ALLEN	18	Suite 900
	Tuesday, November 19, 2013	19	Washington, D.C. 20005-5701
	9:15 a.m.	20	Tel: 202-626-5800
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	Reported by:	23	
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	Ref. No.: 10763	25	
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1 .	DR. LORI ALLEN, sworn	1	A. I went back to the University of Chicago, where I was
2	Examination by MR. YALOWITZ	2	working on my Ph.D. and was preparing for fieldwork, and
3	(9:15 a.m.)	3	then went to the West Bank.
4	BY MR. YALOWITZ:	4	Q. You went to the West Bank in November of 2000?
5	Q. Okay. So, Dr. Allen, we met before we went on the	5	A. Mm-hmm.
6	record, but again, I'll introduce myself; I'm Kent	6	Q. You have to say "yes" or "no"
7	Yalowitz. I represent the plaintiffs in this case.	7	A. Yes.
8	And I was I was wondering where you grew up.	8	Q for the court reporter.
9	A. I grew up in Kansas City, Missouri.	9	A. Yes.
10	Q. Uh-huh. And then you went to college at U Chicago?	10	Q. And you stayed there until 2000, roughly I'm sorry,
11	A. I went to college at the University of Chicago.	11	2002?
12	Q. And graduated in '93?	12	A. No, I stayed there through February of 2003.
13	A. Correct.	13	Q. Uh-huh. How often did you travel back and forth to
14	Q. Started at Chicago Graduate School in 1995; is that	14	the US?
15	right?	15	A. To the US? Every once in a while. I left Israel every
16	A. No, I went to Columbia for a year, Columbia University.	16	three months. Sometimes I would go to Europe, sometimes
17	Q. Uh-huh. And is that when you lived in Queens?	17	I would go back to the States.
18	A. No.	18	Q. Was that because of a visa requirement or something?
19	Q. You lived in Morningside Heights?	19	A. Yes.
20	A. Yes.	20	Q. So then you completed your field work in you
21	Q. Got it.	21	said February of '03?
22	Did you take a degree from Columbia?	22	A. Correct.
23	A. I did, a master's.	23	Q. And that's when you went to Queens?
24	Q. What did you study?	24	A. Yes.
25	A. Anthropology.	25	Q. What were you doing at Queens College?
	Page 6		Page 8
1	Q. And then you took your master's in '96?	1	A. I taught I substitute-taught a term, part of a class,
2	A. Well, I was awarded it in 1998, because of	2	at Queens College.
3	technicalities of when my professor signed off on	3	Q. And you taught at NYU as well?
4	things.	4	A. Correct.
5	Q. It seemed that you had something of a peripatetic	5	Q. What kind of classes?
6	academic career in the '90s I couldn't quite figure out.	6	A. The classes at NYU were introduction to anthropology for
7	Maybe you could give me a chronology of where you went	7	continuing education students; and at Queens, it was,
8	after Columbia.	8	I believe, Middle East anthropology.
9	A. No, so it was undergraduate, then a year at Columbia,	9	Q. I saw that from '03 to '04, you were a Woodrow Wilson
10	where I worked towards a master's. It was originally	10	Fellow.
11	planned to be a Ph.D., but I changed and went to the	11	A. Mm-hmm.
12	University of Chicago directly after finishing a year at	12	Q. What does that mean?
13	Columbia.	13	A. It means that I received a fellowship to support me
14	Q. And you did an a summer program in Birzeit?	14	while I was writing up my dissertation.
15	A. Birzeit, yes.	15	Q. So you didn't live in Princeton?
16	Q. When was that?	16	A. No.
17	A. I did a summer program I think that was in 1997.	17	Q. Did you go back to Chicago at that point?
18	Q. And at some point you studied in Egypt as well?	18	A. I'm not sure when or if I visited Chicago. I spent two
19	A. Correct.	19	years in New York, writing up my dissertation.
20	Q. When was that?	20	Q. Got it. Got it.
21	A. That was 1999 to 2000.	21	And then '04 to '05 as a Peace Scholar; was that
22	Q. And then did you go directly from Egypt to the West Bank	22	similar to the Wilson Fellowship?
		0.0	
23	in 2000?	23	A. Yes.
	in 2000? A. No.	23 24	A. Yes. Q. Got it.

	Page 9		Page 11
1 .	A. Correct.	1	dissolution of the Ottoman Empire.
2	Q. So it's it's not that complicated, is it?	2	And the research that I'm doing will look at several
3	A. No.	3	commissions after that, trying to understand how
4	Q. Just looked complicated from your CV.	4	Palestinians tried to present their political claims to
5	All right. Then you did post-doctoral work at	5	these commissions differently over time. It's also an
6	Brown?	6	effort to understand how the commissions themselves were
7	A. Correct.	7	formed, and what they were trying to find out, and
8	Q. You lived in Providence?	8	the the changes in that form of investigation over
9	A. Yes.	9	time.
10	Q. And then you were also an instructor at Brown?	10	Q. That work is ongoing?
11	A. I did teach a course there.	11	A. Correct.
12	Q. What did you teach?	12	Q. Then now tell me about the book that just came out.
13	A. That was a what they called a Capstone Course, and it	13	A. Mm-hmm. So this book was published with Stanford
14	was again, broadly, anthropology of the Middle East.	14	University Press; it's called "The Rise and Fall of
15	Q. Then '06 to '07, you did postdoctoral work at Harvard?	15	Human Rights: Cynicism and Politics in Occupied
16	A. Correct.	16	Palestine." And it is broadly an anthropological study
17	Q. What both at Brown and at Harvard, were you writing?	17	of Palestinian the Palestinian human rights world.
18	What were you doing that	18	It was an effort to understand how the human rights
19	A. I was	19	industry became part of Palestinian nationalist
20	Q. What is the postdoctoral work?	20	politics, as well as an effort to understand how
21	A. Right. So I was writing, and at Harvard I was	21	different institutions within Palestine, within the
22	conducting beginning to conduct research for my next	22	Occupied Territory specifically, have tried to use human
23	project.	23	rights to gain credibility, as state-building
24	Q. Which was what?	24	institutions, and it is makes an argument that
25	A. It is on the history of investigative commissions to	25	Palestinians generally have become very cynical towards
23			
	Page 10		Page 12
1	Palestine over the last hundred years or so.	1	the human rights industry, which is distinct from human
2	Q. Is that the book that you just published, or is that	2	rights principles, which is a separate issue.
3	A. No.	3	Q. Mm-hmm. There was a word you used which I can't
4	Q a different that's a different project?	4	remember; it's like "storefront" or something?
5	A. That's a different project.	5	A. Yes. Sometimes many Palestinians refer to human
6	Q. And then you moved to Cambridge in '07?	6	rights organizations as "shops."
7	A. Correct.	7	Q. Right.
8	Q. And you've been there since?	8	A. And there's an Arabic word.
9	A. With fellowships.	9	Q. Which is?
10	Q. Where have your fellowships been?	10	A. Dukka-kin.
11	A. I had another year at Harvard, and I had a year off of	11	Q. Okay. You you gave a report in this case; right?
12	teaching, and I was free to go and be wherever.	12	A. Correct.
13	Q. What did you do with that year?	13	Q. Who hired you?
14	A. I spent part of that year traveling to libraries in the	14	A. Miller & Chevalier.
15	United States and visiting archives, and part of that	15	Q. Brian Hill?
16	year I was based in Beirut.	16	A. Brian.
17	Q. So just describe a little bit more the book that you	17	Q. When did you begin your report?
18	just mentioned about the history of something over the	18	A. This has been some months ago. I don't recall exactly.
19	last hundred years.	19	Q. This year?
20	A. So this is an investigation the it's a study of	20	A. I believe so.
21	the history of investigative commissions to Palestine	21	Q. About how long did you take to write it?
22	from the King-Crane Commission in 1919, which was	22	A. Altogether, around 80 or 90 hours.
23	dispatched by President Woodrow Wilson. He sent a bunch	23	Q. Did you charge by the hour?
24	of American diplomats and scholars to find out what the	24	A. Yes.
25	Arabs wanted at the end of World War I with the	25	Q. How much?

	Page 13		Page 15
1	A. \$200.	1	A. Yes.
2	Q. Is it fair to say that your report built on fieldwork	2	Q. How many times did you visit in Gaza?
3	and articles that you had published?	3	A. A few times.
4	A. It's built on that, yes.	4	Q. You did something called ethnographic fieldwork; is that
5	Q. The articles that you cite of your own in the report	5	right?
6	came out of the fieldwork you did for your Ph.D; is that	6	A. That's right.
7	right?	7	Q. So what is that?
8	A. Correct.	8	A. Ethnographic fieldwork is the main methodology of
9	Q. And the primary source material, both for your	9	anthropology. It consists of long-term fieldwork,
10	dissertation and for the articles that sort of grew out	10	referred to as participant observation. I conducted two
11	of your dissertation, was the fieldwork you did	11	years of participant observation.
12	from November of 2000 to February of '03?	12	The goal of ethnographic fieldwork is to understand
13	A. Yes.	13	a social system or set of social processes from the
14	Q. Most of the time that you lived in the West Bank, you	14	perspective of the people on the ground. And the way
15	lived in Al Bira; is that right?	15	that that's done is through long-term intensive
16	A. Part of the time I lived there, and I traveled around	16	engagement with those people on a day-to-day basis.
17	and sometimes lived outside of Al Bira.	17	Participant observation has the benefit for this
18	Q. In I think you spent time in Bethlehem as well?	18	goal of allowing the researcher to get at the
19	A. Correct.	19	perspective of local actors, and the the long-term
20	Q. Did you live with a family in Al Bira, or did you live	20	aspect of it reduces what's often referred to as
21	alone?	21	reactivity; that is, over a long period of time, the
22	A. No, I rented a house on my own.	22	people being researched are less likely to frame what
23	Q. And the family you lived with in Bethlehem: Describe	23	they're saying to the researcher, because the researcher
24	that family.	24	is somebody from outside, because some because
25	A. It is a large family of refugees. It has lots of	25	long-term fieldwork allows the researcher to be more
	Page 14		Page 16
1	brothers and sisters and parents I don't know what	1	to become more of a local, in some sense. Reactivity is
2	kind of description you want.	2	reduced.
3	Q. Just describe your recollection of them.	3	Another aspect of participant observation is
4	A. They're a large and bustling family. There were	4	ethnographic interviews. Another aspect of
5	grandchildren around as well.	5	ethnography is a method and this can include open or
6	Q. Mm-hmm. Were they a religious family?	6	semistructured interviews. Open interviews are very
7	A. Depends on the individual. Some were more or less	7	similar to conversations, and allow the researcher to
8	pious.	8	explore themes in great depth with the interviewee and
9	Q. What religion were they?	9	
10			find out what people are thinking about, doing, saying,
	A. Muslim.	10	what's important to them. Semistructured interviews,
11	A. Muslim.Q. Did did you spend much time in Jenin?	10 11	
11 12			what's important to them. Semistructured interviews,
	Q. Did did you spend much time in Jenin?	11	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes.
12 13 14	Q. Did did you spend much time in Jenin?A. I visited Jenin.	11 12	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and
12 13	Q. Did did you spend much time in Jenin?A. I visited Jenin.Q. Did you interview people in Jenin?A. I did.Q. How many?	11 12 13	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes.
12 13 14 15 16	Q. Did did you spend much time in Jenin?A. I visited Jenin.Q. Did you interview people in Jenin?A. I did.Q. How many?A. I didn't count my interviews.	11 12 13 14 15	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents,
12 13 14 15 16 17	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? 	11 12 13 14 15 16	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this
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12 13 14 15 16 17 18 19	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? A. I did. Q. And how much time? 	11 12 13 14 15 16 17 18	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this variety of information through these variety of methods, triangulation occurs. So something that may not have
12 13 14 15 16 17 18 19 20	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? A. I did. Q. And how much time? A. I made several visits. 	11 12 13 14 15 16 17 18 19 20	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this variety of information through these variety of methods, triangulation occurs. So something that may not have been found through one method can be found in another.
12 13 14 15 16 17 18 19 20 21	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? A. I did. Q. And how much time? A. I made several visits. Q. Did you spend time in Tulkarem? 	11 12 13 14 15 16 17 18 19 20 21	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this variety of information through these variety of methods, triangulation occurs. So something that may not have been found through one method can be found in another. A key another key element of ethnographic
12 13 14 15 16 17 18 19 20 21 22	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? A. I did. Q. And how much time? A. I made several visits. Q. Did you spend time in Tulkarem? A. I visited Tulkarem. 	11 12 13 14 15 16 17 18 19 20 21 22	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this variety of information through these variety of methods, triangulation occurs. So something that may not have been found through one method can be found in another. A key another key element of ethnographic research is the use of key informants. These are people
12 13 14 15 16 17 18 19 20 21 22 23	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? A. I did. Q. And how much time? A. I made several visits. Q. Did you spend time in Tulkarem? A. I visited Tulkarem. Q. Do you remember how many times? 	11 12 13 14 15 16 17 18 19 20 21 22 23	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this variety of information through these variety of methods, triangulation occurs. So something that may not have been found through one method can be found in another. A key another key element of ethnographic research is the use of key informants. These are people who are the researcher's gatekeeper and "in" to the
12 13 14 15 16 17 18 19 20 21 22	 Q. Did did you spend much time in Jenin? A. I visited Jenin. Q. Did you interview people in Jenin? A. I did. Q. How many? A. I didn't count my interviews. Q. Did you spend time in Nablus? A. I did. Q. And how much time? A. I made several visits. Q. Did you spend time in Tulkarem? A. I visited Tulkarem. 	11 12 13 14 15 16 17 18 19 20 21 22	what's important to them. Semistructured interviews, like the label says, are slightly more guided conversations that allow the researcher to find out information about specific themes. In addition to participant observation and ethnographic interviews, ethnographic methodology usually includes collection of additional documents, publication, visual media; and through collecting this variety of information through these variety of methods, triangulation occurs. So something that may not have been found through one method can be found in another. A key another key element of ethnographic research is the use of key informants. These are people

Page 19 Page 17 1 of backgrounds, as I did. 1 A. My question was, broadly, about -- the question about 2 2 With these strategies, data is collected; analysis how Palestinians had -- what role human rights 3 3 is -- the data is collected until the researcher hits organizations played in channeling Palestinian political a point of what's called saturation, where you stop 4 4 claims. A part of that was a question about how 5 finding new themes, you stop learning new information. 5 languages of suffering had become part of political 6 6 You know when you have enough to then begin analysis. discourse for Palestinians in the Occupied Territories. 7 7 When the data is analyzed and written up, the Q. And as your fieldwork developed, did you sort of move 8 8 material, if it's to be published, then goes through away from that topic and look at more -- it seemed to me 9 9 a rigorous process of peer review. So any article or like you looked at something a little different in the 10 10 book, draft, is reviewed by other experts in the field; 11 11 in this case, anthropology or Middle East studies. A. Because of the conditions on the ground, my research For an article published in the top journals of 12 12 shifted more to an investigation of the ways that 13 anthropology, such as those that I've published in, the 13 Palestinians were dealing with the Intifada, the way 14 14 peer review process includes at least two, if not more, that Palestinians were living through the violence that 15 rounds of review, and -- by two to four or five or more 15 characterized the Intifada. And the question of 16 experts that are usually anonymous to the researcher. 16 suffering did remain central, and I've focused on how --17 And through the peer review process, the -- the 17 how Palestinian expressions of suffering were part, 18 credibility and plausibility of the research results are 18 again, of their political language. 19 guaranteed. That's the accepted and agreed-upon 19 Q. Mm-hmm. I -- I read in your report you kind of gave 20 methodology for anthropology. 20 a list of people that you interviewed and worked with; 21 Q. Does your dissertation go through a process like that? 21 I want to ask you about that. 22 22 A. No. My dissertation was reviewed by a committee of A. Okay. 23 supervisors, so it's not considered peer review as such. 23 Q. You said people involved in human rights work. 24 Q. Is -- is it of similar rigor, or -- I mean, what's 24 A. Yes. 25 25 Q. Were those, like, outsiders who did human rights work? the --Page 18 Page 20 1 Palestinians? Some of each? 1 A. Indeed --2 Q. How would you sort of compare and contrast --2 A. This was a mix of people. These would have been 3 A. In some ways, the dissertation is reviewed with more 3 Palestinians from the Occupied Territories as well as 4 4 rigor, because in my case, at my university, it had to foreigners from outside of Palestine, or people who were 5 5 of Palestinian heritage but citizens of other countries. be defended in the public defense, and a committee of 6 6 So it was a variety of people. both the supervisors with whom I worked throughout my 7 7 dissertation research had to pass and interrogate me Q. You've mentioned victims of human rights violations and 8 8 their families. about the dissertation, in addition to -- I think it was 9 9 five other faculty members from the University of A. Mm-hmm. 10 10 Q. Was that a significant focus of your work? Chicago, who I had not worked with, who were also part 11 of the questioning process. 11 A. That was part of my research about the role of human 12 12 Q. As I was trying to figure out what ethnographic rights organizations, so -- yes, it was a significant 13 fieldwork was, before we met, I read about Margaret 13 part. 14 Mead; is that like sort of -- what's your -- how do 14 Q. People involved in community-based organizations, you 15 people today in your field think of Margaret Mead? 15 mentioned; just describe that a little bit. A. Well, Margaret Mead is one the grandmothers of 16 16 A. So community-based organizations that I worked with or 17 anthropology, perhaps, but the kind of fieldwork and 17 researched were groups that were attempting, for 18 kind of research that she wrote is no longer really 18 example, to provide youth with things to do; educational 19 19 considered -- it's no longer the state of the art, let's enrichment, for example, or cultural opportunities, or 20 say. 20 teaching them local folkloric dance or music. These 21 2.1 Q. Did you start with a research hypothesis? groups would also be involved in things like building 22 A. I didn't begin my Ph.D. work with a research hypothesis; 22 community gardens or producing plays. So these were, 23 23 I began my Ph.D. fieldwork with a research question, broadly, activity centers for youth. 24 24 which is --Q. You mentioned in your report people involved in 25 Q. What was your question? 25 commemorating Palestinians who were killed by Israeli

1 2 3	Page 21		Page 23
2	forces. Could you describe that group?	1	Q is that right?
	A. So people involved in commemorating victims would have	2	A. Yes.
	included everyone from people who marched in what were	3	Q. Which ones?
4	referred to as martyr funerals; it could have	4	A. I volunteered most at Defence for Children
5	involved it also included people who were involved in	5	International, Palestine section. I also volunteered at
6	producing commemorative ceremonies or demonstrations.	6	an organization called LAW, L-A-W. Yeah.
7	It would have involved talking with people who yeah,	7	Q. You helped produce reports for both of those
8	who who produced these kinds of of commemorative	8	organizations?
9	ceremonies or events.	9	A. Yes.
10	Q. You mentioned in your report that you interviewed PA	10	Q. What were the goals of the organizations in producing
11	officials and officials of political factions; is that	11	the reports?
12	right?	12	A. In producing the reports, at DCI, the goal was to record
13	A. Yeah.	13	in as much detail, with as much documentation, the
14	Q. Which ones?	14	effects of the occupation and the Intifada on children's
15	A. I can't name specific PA officials or representatives.	15	lives, specifically in the year preceding the production
16	Q. You mean you can't because it would violate	16	of the report that I worked on. The goal was to record
17	a confidentiality agreement that you made?	17	this information, to have it stored and published, as
18	A. Yeah, I can't I can't name specific people unless	18	well as to distribute this information to a variety of
19	I had the agreement ahead of time that their names would	19	audiences: Interested people, government officials,
20	be made public.	20	UN people.
21	Q. Can you describe them by category?	21	Q. Was the DCI report published in English?
22	A. Mm-hmm. So I spoke with PA officials I spoke with	22	A. Yes.
23	some people who were I think I spoke with a governor,	23	Q. And the LAW report was also published in English?
24	a mayor, people who worked for municipalities.	24	A. The I'm not sure if the research that I did ever
25	Yeah, that's what I can recall.	25	ended up in a report. I was asked to do research on
	Page 22		Page 24
1	Q. And political factions?	1	violations of food and water security, but I wasn't
2	A. I spoke with some people who self-identified as being	2	specifically involved in writing up a report.
3	part of or sympathetic to a variety of	3	Q. I saw your name in connection with a law report about
4	self-identified as being related to Fatah, or in this	4	targeted killings.
5	period, I can't recall if I spoke with people who	5	A. I don't think so.
6	self-identified as Hamas; throughout my research, I have	6	Q. Well, trust me on that one.
7	talked with people who self-identify as Hamas.	7	A. I don't
_	I spoke with people who were not officials, but who	8	Q. You don't recall it?
8	were affiliated or claimed former affiliation with	9	
9			A. I don't recall it.
9 10	the PFLP, or former affiliation with DFLP, although	10	Q. I believe you.
9 10 11	the PFLP, or former affiliation with DFLP, although these were not leaders.	11	Q. I believe you. All right. You mentioned gatekeepers?
9 10 11 12	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media	11 12	Q. I believe you.All right. You mentioned gatekeepers?A. Yes.
9 10 11 12 13	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production.	11 12 13	Q. I believe you.All right. You mentioned gatekeepers?A. Yes.Q. Talk about that. What does that mean?
9 10 11 12 13 14	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes.	11 12 13 14	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical
9 10 11 12 13 14 15	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station?	11 12 13 14 15	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain
9 10 11 12 13 14 15	 the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station? A. That was part of it, yes. 	11 12 13 14 15	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain access to the communities that the researcher wants to
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9 10 11 12 13 14 15 16 17	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station? A. That was part of it, yes. Q. What else? A. I also spoke with somebody who worked at PATV, and	11 12 13 14 15 16 17	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain access to the communities that the researcher wants to talk to. Usually these are people who have wide social networks themselves.
9 10 11 12 13 14 15 16 17 18	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station? A. That was part of it, yes. Q. What else? A. I also spoke with somebody who worked at PATV, and I think I also spoke with people who worked at	11 12 13 14 15 16 17 18	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain access to the communities that the researcher wants to talk to. Usually these are people who have wide social networks themselves. Q. Mm-hmm.
9 10 11 12 13 14 15 16 17 18 19 20	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station? A. That was part of it, yes. Q. What else? A. I also spoke with somebody who worked at PATV, and I think I also spoke with people who worked at I think it was called Watan TV.	11 12 13 14 15 16 17 18 19 20	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain access to the communities that the researcher wants to talk to. Usually these are people who have wide social networks themselves. Q. Mm-hmm. A. And the the purpose of of using key informants is
9 10 11 12 13 14 15 16 17 18 19 20 21	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station? A. That was part of it, yes. Q. What else? A. I also spoke with somebody who worked at PATV, and I think I also spoke with people who worked at I think it was called Watan TV. Q. Was that a small like a local television station?	11 12 13 14 15 16 17 18 19 20 21	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain access to the communities that the researcher wants to talk to. Usually these are people who have wide social networks themselves. Q. Mm-hmm. A. And the the purpose of of using key informants is to provide a researcher with a a trusted "in" to the
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9 10 11 12 13 14 15 16 17 18 19 20 21 22	the PFLP, or former affiliation with DFLP, although these were not leaders. Q. You mentioned people who worked in local news media production. A. Yes. Q. Is that the Bethlehem television station? A. That was part of it, yes. Q. What else? A. I also spoke with somebody who worked at PATV, and I think I also spoke with people who worked at I think it was called Watan TV. Q. Was that a small like a local television station? A. Yes.	11 12 13 14 15 16 17 18 19 20 21 22	 Q. I believe you. All right. You mentioned gatekeepers? A. Yes. Q. Talk about that. What does that mean? A. So "key informants" is the slightly more technical name, I suppose, for people who help a researcher gain access to the communities that the researcher wants to talk to. Usually these are people who have wide social networks themselves. Q. Mm-hmm. A. And the the purpose of of using key informants is to provide a researcher with a a trusted "in" to the communities. They introduce the researcher to the

	Page 25		Page 27
1	a variety of demographic categories.	1	people and get a deeper sense for qualitative data.
2	So in my case, I had key informants that were male	2	Q. So then do you summarize your as part of your
3	and female, politically independent, secular, more or	3	methodology, do you then summarize the interviews in
4	less pious, more well off, cosmopolitan businessmen, or	4	some way?
5	a poor person from a refugee camp.	5	A. During the analysis phase, it would be more a matter of
6	Q. How many did you have in that category?	6	identifying themes, concepts, issues that arise, either
7	A. Of key informants, I would say four or five that	7	for further investigation or for identifying patterns of
8	I considered key informants.	8	thought or belief or interest.
9	Q. And are you able to tell me who those people were?	9	Q. During the your peer review process for the defense
10	A. I can name some of them.	10	of your dissertation, did the transcripts of your
11	Q. Okay. Go ahead.	11	interviews are those made available to peer
12	A. One's name is Deab Saed; one is named Nasrin Al-Asah;	12	reviewers?
13	one is named Nadal Al-Asrak.	13	A. No, those are confidential.
14	The other two, I don't have specific permission from	14	Q. And you keep them, but they're confidential?
15	them to to use their names, so I wouldn't.	15	A. Correct.
16	Q. All right. I'm not going to take their depositions or	16	Q. And you still have them?
17	anything; just curious, trying to learn.	17	A. Some of them.
18	A. Yeah.	18	Q. All right.
19	Q. So were were some of the key informants your friends?	19	You you avoided when you did your fieldwork,
20	Did you become friends with them?	20	you avoided focusing on people involved in militant
21	A. Yes, I became friends with them.	21	activities; right?
22	Q. And were any of them human rights workers?	22	A. Yes.
23	A. Yes.	23	Q. And you did not collect information on people who might
24	Q. Which ones?	24	turn up on a "Wanted" list; right?
25	A. Deab Saed became a human rights worker, and one who	25	A. That was not a focus of my research.
	Page 26		Page 28
1	I haven't named was a human rights worker.	1	Q. And you did not try to investigate suicide bombers, or
2	Q. You did your field interviews alongside of human rights	2	those in their networks, directly; right?
3	workers; is that right?	3	A. Correct.
4	A. Sometimes yes, sometimes no.	4	Q. Did you interview any members of the Al-Aqsa Martyr
5	Q. You did interviews in Arabic and recorded them on tape;	5	Brigades?
6	is that right?	6	A. I spoke with some people who self-identified as being
7	A. Most of the time, yes.	7	associated with the Al-Aqsa Martyr Brigades.
8	Q. And then did you transcribe the interviews? How did you	8	
9	2		O. How many?
	use the recordings?	9	Q. How many? A. Again, I didn't keep a numerical tally of the people
10	use the recordings? A. Yes, they either I transcribed them or a research	9 10	A. Again, I didn't keep a numerical tally of the people
	use the recordings? A. Yes, they either I transcribed them or a research assistant transcribed them.		A. Again, I didn't keep a numerical tally of the people I interviewed, but I can guess around two.
10	A. Yes, they either I transcribed them or a research assistant transcribed them.	10	A. Again, I didn't keep a numerical tally of the people
10 11	A. Yes, they either I transcribed them or a research assistant transcribed them. Q. Did any research assistant do any of the interviews, or	10 11	A. Again, I didn't keep a numerical tally of the peopleI interviewed, but I can guess around two.Q. Did you interview anybody who was a member of Force 17?
10 11 12	A. Yes, they either I transcribed them or a research assistant transcribed them.Q. Did any research assistant do any of the interviews, or did you do all of the interviews?	10 11 12	 A. Again, I didn't keep a numerical tally of the people I interviewed, but I can guess around two. Q. Did you interview anybody who was a member of Force 17? A. Not that I know of. Q. Did you interview any anybody who self-identified as
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10 11 12 13 14 15 16 17 18 19 20 21	 A. Yes, they either I transcribed them or a research assistant transcribed them. Q. Did any research assistant do any of the interviews, or did you do all of the interviews? A. No, I did all of the interviews. Q. Do you use a did you use a checklist or an outline for your interviews? A. It depended on the kind of interview. As I mentioned, many of my interviews were open and did not involve any kind of set outline. The more structured interviews did focus on key themes, and I would have had in my head, or on a piece of paper, broad issues that I would have 	10 11 12 13 14 15 16 17 18 19 20 21	 A. Again, I didn't keep a numerical tally of the people I interviewed, but I can guess around two. Q. Did you interview anybody who was a member of Force 17? A. Not that I know of. Q. Did you interview any anybody who self-identified as being associated with the Tanzeem? A. One, that I recall. Q. Did you interview anybody who was an employee of a Palestinian Authority security service? A. Yes. Q. How many? A. Again, a handful. Q. Did you interview any senior officers of PA Security
10 11 12 13 14 15 16 17 18 19 20 21 22	 A. Yes, they either I transcribed them or a research assistant transcribed them. Q. Did any research assistant do any of the interviews, or did you do all of the interviews? A. No, I did all of the interviews. Q. Do you use a did you use a checklist or an outline for your interviews? A. It depended on the kind of interview. As I mentioned, many of my interviews were open and did not involve any kind of set outline. The more structured interviews did focus on key themes, and I would have had in my head, or on a piece of paper, broad issues that I would have wanted to cover. These were not survey interviews, that 	10 11 12 13 14 15 16 17 18 19 20 21	 A. Again, I didn't keep a numerical tally of the people I interviewed, but I can guess around two. Q. Did you interview anybody who was a member of Force 17? A. Not that I know of. Q. Did you interview any anybody who self-identified as being associated with the Tanzeem? A. One, that I recall. Q. Did you interview anybody who was an employee of a Palestinian Authority security service? A. Yes. Q. How many? A. Again, a handful. Q. Did you interview any senior officers of PA Security Services?

	Page 29		Page 31
1 .	A. No.	1	A. What's the context?
2	Q. Did you ever interview any prisoners in Israeli jails?	2	Q. In your dissertation.
3	A. People who were at the time prisoners in Israeli jails?	3	A. What's the broader context?
4	Q. Correct.	4	Q. Sure. I'll I'll read a passage from your
5	A. No.	5	dissertation. You wrote:
6	Q. Did you ever attend a sentencing of a Palestinian	6	"Shared emotion, especially sympathy and sadness,
7	convicted of terrorism?	7	both attest to and are used to create national and
8	A. No.	8	international connections. What duties I was charged to
9	Q. We bantered about ethnocentrism before; what is that?	9	perform in my new subjectivity was not explained
10	A. Ethnocentrism is a label applied to people who view the	10	explicitly, but it was this experience of emotional
11	world from the specific perspective of the place they	11	conversion that would encourage me to understand more
12	come from.	12	clearly the situation in which they lived, the depth of
13	Q. Did did you feel that you had ethnocentrism in your	13	its effects, and ultimately who was responsible for it."
14	views about the Palestinians before you arrived?	14	That was a passage you wrote after describing
15	A. Before I arrived? A key feature of ethnographic	15	a funeral you attended.
16	fieldwork is for the ethnographer is to adopt	16	A. Mm-hmm.
17	a stance of relativism; that is, the person goes in	17	Q. Do you recall that?
18	trying to understand the situation on the ground from	18	A. Broadly.
19	the perspective of the people on the ground,	19	Q. Do you want to see it in context? Would that be
20	understanding that what they believe or hold to be true	20	helpful?
21	is relative to their context. So the goal for the	21	A. No, I know what I was doing there.
22	anthropologist is to set aside personal assumptions or	22	Q. Sure. So just talk about that.
23	expectations in order to get into the the depths of	23	A. So what I was trying to understand and analyze and
24	how people on the ground in the research site think	24	convey was what I observed of Palestinians' attempts to
25	about things.	25	explain their situation of life under occupation during
	Page 30		Page 32
1	Having said that, it's never it's it's broadly	1	Intifada, to explain the injustice of their situation to
2	understood among anthropologists that one can never	2	outsiders, partly through emotional means.
3	fully shed one's own background assumptions and	3	I was also trying to explain through the
4	expectations; but because of the length of time that	4	dissertation how this kind of production of shared
5	most anthropologists spend in the field conducting	5	emotion was a feature of Palestinian nationalism. It
б	fieldwork, there's a process of learning the culture or	6	was a way that Palestinians also produced solidarity
7	society or social system that one is going into.	7	amongst themselves.
8	MR. YALOWITZ: Why don't we pause for a moment, I'll off	8	So when I'm referring there to this new shared
9	the record, and I'll introduce my colleagues.	9	subjectivity, whatever the specific word was, what I'm
10	(Discussion off the record.)	10	referring to is the way that the Palestinians who I was
11	MR. YALOWITZ: Sorry for the interruption. I need to go	11	engaged with, or doing research on, were themselves
12	back on.	12	trying to or coming to an understanding of me as
13	Great. I'm sorry, could you Fiona, could you	13	being in a shared situation with them.
14	just read the last couple of sentences.	14	So this is an analysis of their attempts to bring me
15	(Record read.)	15	into a shared emotional context.
16	BY MR. YALOWITZ:	16	Q. When you wrote, "What duties I was charged to perform in
17	Q. Is it fair to say that you grew to identify closely with	17	my new subjectivity was not explained explicitly," were
18	the Palestinian people emotionally?	18	you referring to your mindset, or their mindset, or
19	A. No.	19	both?
20	I'm not really sure what that means.	20	A. I was referring to their mindset.
21	Q. Well, so you cried at funerals; right?	21	Q. You referred in your dissertation to "the political
22	A. Yes.	22	import of shared emotion and solidarity." What did you
23	Q. And you referred to your being subjective in some way,	23	mean by that?
	marrily authinative intiitl		
24 25	newly subjective, in connection with your work. Do you recall that?	24 25	A. What I was just talking about is the two levels, really. One is Palestinian nationalism, I explained or

	Page 33		Page 35
1	inferred from my research, was partly produced through	1	A. Yes.
2	the production of shared emotion that was produced	2	Q. All right. Now, you you rely on the Mitchell
3	through rituals like funerals or other commemorative	3	Commission report?
4	ceremonies. So what I'm referring to is the way that	4	A. In my report?
5	emotional solidarity among Palestinians was created and	5	Q. Yes.
6	expressed, and trying to understand the political	6	A. Yes.
7	effects of that.	7	Q. Is it reasonable for experts in your field to rely on
8	On the other level, I was trying to understand how	8	reports like that created by the Mitchell Commission?
9	Palestinians attempted to bring outsiders of all sorts	9	A. Yes.
10	into a similar relationship of shared sympathy as a way	10	Q. Do you that report was published by the State
11	of making their political points made in something other	11	Department; is that right?
12	than a discursive or ideological register.	12	A. I believe so.
13	Q. Is it fair to say that you or maybe it's not fair to	13	Q. Is it reasonable for experts in your field to rely on
14	say; I don't know but it seemed like, reading your	14	other reports produced by the State Department?
15	work, you had some sympathy for their perspective. Is	15	MR. HILL: Objection, lack of foundation.
16	that do I have that wrong?	16	You can go ahead and answer.
17	A. In my work, I conveyed or tried to analyze the processes	17	A. It depends on the research question.
18	and motivations behind Palestinian efforts to produce	18	BY MR. YALOWITZ:
19	this kind of sympathy.	19	Q. Did you I can't remember if you relied on reports
20	Q. So do you have sympathy for the perspective of the	20	I think you did from human rights groups?
21	Palestinians?	21	A. Yes.
22	A. There are many perspectives of many Palestinians.	22	Q. Like B'Tselem and Physicians for Human Rights?
23	Q. So is that a "yes"?	23	A. Yes.
24	A. So it means that that question is too broad to really	24	Q. Is it reasonable to rely on reports by groups like that?
25	answer.	25	A. Yes.
	Page 34		Page 36
1	Q. Oh. So so there is what would you say the	1	Q. And by that, I mean for people in your field of
1 2	Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was?	2	Q. And by that, I mean for people in your field of expertise.
	Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was?A. The Second Intifada, if that's what you are referring	2	Q. And by that, I mean for people in your field of expertise.A. Yes.
2 3 4	Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was?A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the	2 3 4	Q. And by that, I mean for people in your field of expertise.A. Yes.Q. So is are reports by Human Rights Watch considered
2 3 4 5	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. 	2 3 4 5	Q. And by that, I mean for people in your field of expertise.A. Yes.Q. So is are reports by Human Rights Watch considered reliable by experts in your field?
2 3 4 5 6	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? 	2 3 4 5	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch
2 3 4 5 6 7	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. 	2 3 4 5 6 7	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity.
2 3 4 5 6 7 8	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. 	2 3 4 5 6 7 8	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that.
2 3 4 5 6 7 8	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources 	2 3 4 5 6 7 8	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that
2 3 4 5 6 7 8 9	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. 	2 3 4 5 6 7 8 9	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the
2 3 4 5 6 7 8 9 10	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly 	2 3 4 5 6 7 8 9 10	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict
2 3 4 5 6 7 8 9 10 11	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly in your report. 	2 3 4 5 6 7 8 9 10 11	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict Q. Biased
2 3 4 5 6 7 8 9 10 11 12 13	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly in your report. A. Okay. 	2 3 4 5 6 7 8 9 10 11 12 13	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict Q. Biased A in some of their reports.
2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly in your report. A. Okay. Q. So you refer in your report to your dissertation and to 	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict Q. Biased A in some of their reports. Q. Biased in which direction?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly in your report. A. Okay. Q. So you refer in your report to your dissertation and to articles that were taken from the work you did in your dissertation; is that fair to say? A. Yes. Q. And is it reasonable, in your opinion, for experts in your field to rely on those sources? A. "Those sources" meaning the dissertation? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict Q. Biased A in some of their reports. Q. Biased in which direction? A. Towards the Israeli an Israeli perspective. Q. What about an organization called Freedom House: Have you heard of them? A. I've heard of it. Q. Who which coming back to Human Rights Watch, which experts have you heard say that Human Rights Watch is
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly in your report. A. Okay. Q. So you refer in your report to your dissertation and to articles that were taken from the work you did in your dissertation; is that fair to say? A. Yes. Q. And is it reasonable, in your opinion, for experts in your field to rely on those sources? A. "Those sources" meaning the dissertation? Q. Your your dissertation and would it be reasonable for experts in your field to rely on your dissertation? A. Yes. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict Q. Biased A in some of their reports. Q. Biased in which direction? A. Towards the Israeli an Israeli perspective. Q. What about an organization called Freedom House: Have you heard of them? A. I've heard of it. Q. Who which coming back to Human Rights Watch, which experts have you heard say that Human Rights Watch is biased toward the Israelis? A. The one person whose name I can recall right now is Mouin Rabbani, who is a political analyst, not an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. Oh. So so there is what would you say the principal goal of the Al-Aqsa Intifada was? A. The Second Intifada, if that's what you are referring to, was primarily aimed at ending or resisting the Israeli occupation of occupied Palestinian territories. Q. So did you do you have sympathy with that goal? A. Yes. Q. Thank you. Now I want to ask you about some sources A. Okay. Q that you referred to in your work, and particularly in your report. A. Okay. Q. So you refer in your report to your dissertation and to articles that were taken from the work you did in your dissertation; is that fair to say? A. Yes. Q. And is it reasonable, in your opinion, for experts in your field to rely on those sources? A. "Those sources" meaning the dissertation? Q. Your your dissertation and would it be reasonable for experts in your field to rely on your dissertation? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. And by that, I mean for people in your field of expertise. A. Yes. Q. So is are reports by Human Rights Watch considered reliable by experts in your field? A. There's some contention about Human Rights Watch reliability and objectivity. Q. Tell me what you mean by that. A. I mean that some people, some experts, believe that Human Rights Watch is biased in how they report on the Israeli/Palestinian conflict Q. Biased A in some of their reports. Q. Biased in which direction? A. Towards the Israeli an Israeli perspective. Q. What about an organization called Freedom House: Have you heard of them? A. I've heard of it. Q. Who which coming back to Human Rights Watch, which experts have you heard say that Human Rights Watch is biased toward the Israelis? A. The one person whose name I can recall right now is

Page 37		Page 39
1 Rights Watch too. That's the sign of a good human	1	field?
2 rights worker; right? Both sides complain.	2	A. Citing statements by political figures? Depending on
3 Do you think Human Rights Watch is biased towards	3	the research question and goal.
4 Israelis?	4	Q. It could be?
5 A. It would depend on the specific report.	5	A. It could be.
6 Q. Have you read the one about the Second Intifada?	6	Q. Fair enough. All right.
7 A. Which one is that?	7	I want to sort of establish some things that I think
8 Q. It's called I think it's called "Erased in a Moment,"	8	you're not offering expert opinions on, but I just want
9 or "Gone in a Moment."	9	to make sure; okay?
10 A. I believe so.	10	A. Okay.
11 Q. And what was your impression of it?	11	Q. So you're not an expert on international humanitarian
12 A. I haven't read it recently, and I can't comment.	12	law; right?
•	13	-
, and the property of the prop		A. Correct.
14 International Crisis Group?	14	Q. You you've never studied the Geneva Convention;
15 A. Yes.	15	right?
Q. You said they were widely respected?	16	A. I've never studied it in school.
17 A. Yes.	17	Q. Have you have you read the PLO/Israel Interim
Q. You think it's reasonable for experts in your field to	18	Agreement?
19 rely on reports by International Crisis Group?	19	A. Perhaps.
A. Depending on the research goal and question.	20	Q. You're are you familiar with the Rome Statute?
Q. You cited a book by a University of Chicago professor	21	A. I've heard of it, but I'm not an expert.
22 named Robert Pape Robert Pape?	22	Q. Do you believe that well, in your report, you define
23 A. Robert or Richard Pape.	23	terrorism; right?
Q. Richard Pape something with an "R," an "R" name	24	A. Correct.
25 A. Yes.	25	Q. You you adopt the Mitchell Commission's report
Page 38		Page 40
1 Q at the beginning.	1	I would paraphrase it as violence directed towards
2 Do you know the book?	2	civilians to achieve political goals. Is that a fair
3 A. I do know the book.	3	paraphrase?
4 Q. And is it reasonable for experts in your field to rely	4	A. Yes.
5 on it?	5	Q. Do you believe that terrorism, as you and I have just
6 A. Again, depending on the research question and the	6	defined it, is ever permitted by international human
7 research goal, yes.	7	rights law?
8 Q. You cited an article by somebody named Anthony	8	A. No, I don't think so, but I'm not an expert in
9 Cordesman.	9	international human rights law.
10 A. Okay.	10	Q. Do you believe that terrorism, as you and I have just
11 Q. Do you know who that is?	11	defined it, is ever morally justified?
12 A. I recognize the author's name. I don't recall the	12	A. No.
13 citation.	13	Q. You're not expert on Israeli criminal law or procedure;
14 Q. You you cited, I think, at least one article from	14	right?
15 Haaretz.	15	A. Correct.
16 A. Yes.	16	Q. You you don't really know much about Israeli
17 Q. Do you know that newspaper?	17	interrogation techniques, do you?
_ · · · · · · · · · · · · · · · · · · ·	18	MR. HILL: Objection, vague.
	19	You can respond.
19 Q. Is it a reputable newspaper?		-
20 A. I believe so.	20	A. I know something about Israeli interrogations.
Q. Is it reasonable for experts in your field to cite	21	BY MR. YALOWITZ:
22 articles from Haaretz?	22	Q. How do you know that?
A. Depending on the research question and goal.	23	A. Based on my reading of my extensive reading of human
Q. And you cited statements by political figures; is that	24	rights and UN reports about the topic.
something reasonable for people to rely on in your	25	Q. Do you find the UN to be a reliable reporter on matters

	Page 41		Page 43
1 .	involving Israel?	1	that, or writing that?
2	A. Depending on the body, depending on the UN body, and	2	A. Not specifically.
3	depending on the report.	3	Q. Do you agree with it?
4	Q. Do you do you know much about the Israeli military	4	A. I know that's what was widely reported about him.
5	courts?	5	Q. Did you have any reason to believe that's not true?
6	A. Not much.	6	MR. HILL: Objection, lack of foundation. She can respond.
7	Q. How about the Israeli civilian courts?	7	A. I wrote that based on what I had read and what was
8	A. Not much.	8	generally reported in media.
9	Q. You've never tried a case; right?	9	BY MR. YALOWITZ:
10	A. No.	10	Q. And sitting here today, has anything come to your
11	Q. Have you ever sat in a courtroom while a case is	11	attention that suggests what you wrote was incorrect?
12	pending?	12	A. I don't have any factual information about Yasser
13	A. No.	13	Arafat's relationship to funds.
14	Q. You're not an expert on terrorism; right?	14	Q. Okay. Ahmed Qurei?
15	A. No.	15	A. Mm-hmm.
16	Q. You're not an expert on police procedure or criminology;	16	Q. Do you know who that is?
17	right?	17	A. I've not met him.
18	A. No.	18	Q. Who is it?
	Q. You're not an expert on military discipline, are you?		
19	A. Correct.	19 20	A. He is a or was a political leader. Q. In ?
20			
21	Q. You're not expert on the laws of war; right?	21	A. In the Palestinian Authority.
22	A. Correct.	22	Q. How about Jibril Rajub: Did you ever meet him?
23	Q. You don't have any expertise on Palestinian Authority's	23	A. I never met him.
24	command and control of its security forces; right?	24	Q. Do you know who he is?
25 ———	A. Correct.	25	A. He was, I believe, head of a security service.
	Page 42		Page 44
1	Q. You don't have any expertise on the PLO's organizational	1	Q. Did you ever meet an individual name Muhammad Dahlan?
2	structure; right?	2	A. I've never met Dahlan.
3	A. Correct.	3	Q. Do you know what his job was during the 2000 to 2004
4	Q. Do you know much about the Al-Aqsa Martyr Brigades?	4	period?
5	A. Not much.	5	A. I don't know specifically what his job was. I believe
6	Q. Do you know much about the PA security forces?	6	he was head of a security service.
7	A. Not much.	7	Q. Did you ever meet an individual named Tawfiq al-Tirawi?
8	Q. So I'm going to ask you about do you want to take	8	A. I don't believe so.
9	a break, or do you want to continue?	9	Q. Did you ever meet an individual named Hilal Abdel-Haq?
10	MR. HILL: We've been going an hour; why don't we take	10	A. No.
11	a break?	11	Q. Did you ever meet an individual named Abdallah Bargouti?
12	A. Take a break.	12	A. No.
13	MR. YALOWITZ: We can go off the record.	13	Q. Do you know who that is?
14	(10:14 a.m.)	14	A. No.
15	(A break was taken.)	15	Q. Did you ever meet Marwan Barghouti?
16	MR. YALOWITZ: Okay. So are we on the record?	16	A. No.
17	Q. Okay. So what I'd like to do is ask you about some	17	Q. Do you you know who Marwan Barghouti is?
18	people, and you can tell me if you know them, or if	18	A. I know about Marwan Barghouti.
19	you've met them, and what you know about them. Is that	19	Q. Do you know where Marwan Barghouti is today?
20	okay?	20	A. I believe he's in an Israeli prison.
21	A. Okay.	21	Q. Do you know why he's in prison?
22	Q. So Yasser Arafat: Did you ever meet him?	22	A. I believe the Israeli courts convicted him of crimes.
23	A. No.	23	Q. Did you ever read the verdict on his following his
24	Q. You mentioned in your dissertation that he had an	24	trial?
25	infamously tight grip on funds. Do you recall saying	25	A. No.
	minimously right grip on runds. Do you recall saying	ر ب	11. 110.

	Page 45		Page 47
1	Q. Have you ever read have you ever read his	1	Q. Did you ever meet an individual named Sana'a Mohammed
2	transcripts or reports of his interrogation?	2	Shchada?
3	A. No.	3	A. No.
4	Q. Did you ever meet an individual named Nasser Awais?	4	Q. Did you know who she is?
5	A. No.	5	A. No.
6	Q. Did you ever meet an individual named Ra'ed al-Karmi?	6	Q. Did you ever meet an individual named Kamal a-Din
7	A. No.	7	Isma'il Musa al-Abed?
8	Q. Do you know who that was?	8	A. I don't think so.
9	A. I believe he was someone who was killed during the	9	Q. Did you ever meet Wafa Idris?
10	Second Intifada.	10	A. No.
11	Q. Do you do you know what his what he was doing	11	Q. Do you know who she was?
12	before he was killed?	12	A. I have heard about her.
13	A. No.	13	Q. Tell me what you know about her.
14	Q. Did you ever meet an individual name Nasser Naji	14	MR. HILL: Objection, lack of foundation.
15	Abu-Hamid?	15	A. I read in the news that she was a suicide bomber.
16	A. No.	16	BY MR. YALOWITZ:
17	Q. Did you ever meet an individual named Muhammad Abdel	17	Q. Did you ever meet anybody from her family?
18	Rahman Salem Mouslah?	18	A. No.
19	A. No.	19	Q. Did you ever meet an individual named Mohammed Sami
20	Q. Did you ever meet an individual named Jamal Ahawil?	20	Ibrahim Abdallah?
21	A. No.	21	A. Not to my recollection.
22	Q. Forgive my pronunciation; it's probably very bad.	22	Q. Do you recall an individual named Pharess Ghanem?
23	A. I think I'm understanding.	23	A. Not to my recollection.
24	Q. Did you ever meet an individual named Sa'id Ramadan?	24	Q. Do you know an individual named or did you ever meet
25	A. Excuse me.	25	an individual named Majid al-Masri?
	Page 46		Page 48
1	No. No.	1	A. Not that I recall.
2	Q. Did you ever meet an individual named Nassar al-Shawish?	2	Q. Did you ever meet anybody named Ali Mohammed Hamed
3	A. I don't believe so.	3	Abu-Halil?
4	Q. Did you ever meet an individual named Ibrahim Hamed?	4	A. Not that I recall.
5		_	
	A. I don't believe so.	5	Q. Did somebody just join on the telephone?
6	Q. Did you ever meet an individual named Moonzer Mahood	6	Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here.
6 7	Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor?	6 7	Q. Did somebody just join on the telephone?MS. WEISER: It's Rachel here.MR. YALOWITZ: Hi, Rachel. So the record
6 7 8	Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so.	6 7 8	Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute.
6 7 8 9	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim 	6 7 8 9	Q. Did somebody just join on the telephone?MS. WEISER: It's Rachel here.MR. YALOWITZ: Hi, Rachel. So the recordMS. WEISER: I'm going to put my phone on mute.MR. YALOWITZ: Thank you.
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6 7 8 9 10 11 12 13	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? 	6 7 8 9 10 11 12 13	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad?
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6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? MR. HILL: Objection. Lack of foundation. A. I think that he was someone who was arrested during the Second Intifada. BY MR. YALOWITZ: Q. Do you know where he is today? 	6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad? A. Not that I recall. Q. Do you know who that is? A. No. Q. Do you recall were you in Bethlehem when the Church of the Nativity was seized by militants?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? MR. HILL: Objection. Lack of foundation. A. I think that he was someone who was arrested during the Second Intifada. BY MR. YALOWITZ: Q. Do you know where he is today? A. No. 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad? A. Not that I recall. Q. Do you know who that is? A. No. Q. Do you recall were you in Bethlehem when the Church of the Nativity was seized by militants? MR. HILL: Objection to form.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? MR. HILL: Objection. Lack of foundation. A. I think that he was someone who was arrested during the Second Intifada. BY MR. YALOWITZ: Q. Do you know where he is today? A. No. Q. Did you ever meet an individual named Kahira Sa'id Ali 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad? A. Not that I recall. Q. Do you know who that is? A. No. Q. Do you recall were you in Bethlehem when the Church of the Nativity was seized by militants? MR. HILL: Objection to form. You can respond.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? MR. HILL: Objection. Lack of foundation. A. I think that he was someone who was arrested during the Second Intifada. BY MR. YALOWITZ: Q. Do you know where he is today? A. No. Q. Did you ever meet an individual named Kahira Sa'id Ali Sa'adi? 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad? A. Not that I recall. Q. Do you know who that is? A. No. Q. Do you recall were you in Bethlehem when the Church of the Nativity was seized by militants? MR. HILL: Objection to form. You can respond. A. I was believe I was in Bethlehem or Ramallah when
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? MR. HILL: Objection. Lack of foundation. A. I think that he was someone who was arrested during the Second Intifada. BY MR. YALOWITZ: Q. Do you know where he is today? A. No. Q. Did you ever meet an individual named Kahira Sa'id Ali Sa'adi? A. No. 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad? A. Not that I recall. Q. Do you know who that is? A. No. Q. Do you recall were you in Bethlehem when the Church of the Nativity was seized by militants? MR. HILL: Objection to form. You can respond. A. I was believe I was in Bethlehem or Ramallah when there was a siege of the church by Israeli forces.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Did you ever meet an individual named Moonzer Mahood Mahood excuse me: Moonzer Mahmood Halil Noor? A. I don't believe so. Q. Did you ever meet an individual named Abd-el Karim Aweis? A. I don't believe so. Q. Have you ever heard of him? A. I I think I've heard of him. Q. What do you understand his prominence to be? MR. HILL: Objection. Lack of foundation. A. I think that he was someone who was arrested during the Second Intifada. BY MR. YALOWITZ: Q. Do you know where he is today? A. No. Q. Did you ever meet an individual named Kahira Sa'id Ali Sa'adi? 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Did somebody just join on the telephone? MS. WEISER: It's Rachel here. MR. YALOWITZ: Hi, Rachel. So the record MS. WEISER: I'm going to put my phone on mute. MR. YALOWITZ: Thank you. The record can reflect that Rachel Weiser, W-E-I-S-E-R, joined the meeting by telephone. Q. Where were we: Abu Khalil. Oh, this is a long one: Did you ever meet an individual named Adb-al-Rahman Youssef Abd-al-Rahman Mekadad? A. Not that I recall. Q. Do you know who that is? A. No. Q. Do you recall were you in Bethlehem when the Church of the Nativity was seized by militants? MR. HILL: Objection to form. You can respond. A. I was believe I was in Bethlehem or Ramallah when

	Page 49		Page 51
1 .	church?	1	Q. Did you ever meet an individual named Naef Abu Sharah?
2	A. I know someone who was inside the church.	2	A. Not that I recall.
3	Q. But it was not Mekadad?	3	Q. And is that a familiar name to you?
4	A. No.	4	A. Not that I recall.
5	Q. Who was it?	5	Q. Did you ever meet an individual named Mazen Marwan Faiz
6	A. His name was S-Ahmet.	6	Fraitah?
7	Q. And what was his relationship with the the militants	7	A. Not that I recall.
8	who were inside the church?	8	Q. Did you ever meet an individual named Fawzi Murar?
9	MR. HILL: Objection, lack of foundation.	9	A. Not that I recall.
10	A. I didn't know.	10	Q. I may have had asked you this before, but did you ever
11	BY MR. YALOWITZ:	11	meet anybody from Force 17?
12	Q. Did you ever meet an individual named Ahmed Salah Ahmed	12	A. Not that I knew of.
13	Salah?	13	Q. Do you know what Force 17 was?
14	A. Not that I recall.	14	A. I understand it was a I believe a security force,
15	Q. Did you ever meet an individual named Hilmi Abd-al-Karim	15	Palestinian security force.
16	Mohammed Hamash?	16	Q. Do you know what their job was?
17	A. Not that I recall.	17	A. Not specifically.
18	Q. Did you ever meet an individual named Ahmed Mohammed	18	Q. Do you did you ever meet an individual named Ahmed
19	Ahmed Sa'ad?	19	Ibrahim Hilles?
20	A. Not that I recall.	20	A. Not that I recall.
21	Q. Did you ever meet an individual named Ibrahim Abd-al	21	Q. And did you ever meet an individual named Ziad Abu Amr?
22	Hai?	22	A. Not that I recall.
23	A. Not that I recall.	23	Q. All right.
24	Q. Did you ever meet an individual named Basher Bargouti?	24	Are you familiar with the work of the Palestinian
25	A. Not that I recall.	25	Human Rights Monitoring Group?
	Page 50		Page 52
,		1	
1	Q. Do you do you ever meet an individual named Uzz-a-din	1	A. I've I think I've seen the website.
2	Hamamra?	2	Q. Did you ever meet Bassem Eid Eid? How do you say his
3	A. Not that I recall.	3	name?
4	Q. Did you ever meet Mohammed Hashaika?	4	A. Bassem Eid.
5	No?	5	I'm not sure if I met him.
6	A. Not that I recall.	6	Q. Do you know who he is?
7	Q. Do you know who that is?	7	A. I believe he's a human rights worker.
8	A. No.	8	Q. He wrote a report called "Media in Palestine: Between
9	Q. Did you ever meet an individual did you ever did	9	the Hammer and the Anvil of Self-censorship." Did you
10	you attend the funeral of Mohammed Hashaika?	10	ever read that report?
11	A. Not that I recall.	11	A. I don't know.
12	Q. Did you ever attend a funeral of a suicide bomber?	12	Q. There is a document let me give you a document called
13	A. No, not that I know of.	13	"Journalism Education in Countries with Limited Media
14	Q. Did you ever meet an individual named Ali Ja'ara?	14	Freedom," and we'll ask some questions about that.
15	A. Not that I recall.	15	A. Okay.
16	Q. Did you ever meet an individual named Said Awadeh?	16	(Exhibit 1 marked for identification.)
17	A. Not that I recall.	17	BY MR. YALOWITZ:
18	Q. Did is the name "Mohammed Hashaika" a familiar one to	18	Q. Okay, Dr. Allen, do you have Allen deposition exhibit 1
19	you?	19	before you?
20	A. No.	20	A. Yes.
21	Q. Is the name "Ali Ja'ara" a familiar one to you?	21	Q. And you'll see, down in the lower right-hand corner, the
22	A. No.	22	number 462.
23	Q. How about Said Awadeh: Have you ever heard that name	23	A. Yes.
24	before?	24	Q. That's my handwriting; I wrote that the other day when
25	A. Not that I recall.	25	the defendants provided it to one of my witnesses.

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	Page 57		Page 59
1 .	Q. Do you know what it is?	1	distributed primarily at the ministries and government
2	A. I believe it's the it's understood to be the official	2	organizations?
3	news agency of the Palestinian Authority.	3	A. I see that.
4	Q. When you were living in Ramallah and Bethlehem, did you	4	Q. Does that refresh your recollection that that's where it
5	read Al-Quds?	5	was distributed?
6	A. I reviewed Al-Quds.	6	A. No. I have no idea.
7	Q. And did you read Al-Ayyam during that period?	7	Q. Did you spend much time at ministries and government
8	A. I reviewed Al-Ayyam.	8	organizations during your years living in Ramallah and
9	Q. Did what's the difference between reading and	9	Bethlehem?
10	reviewing?	10	A. No.
11	A. I didn't read every article, or I it was more than	11	Q. The Palestinian Media Map also reports that the
12	skimming, and getting a sense of what was being reported	12	newspaper has a remarkable reception in poor areas of
13	and how.	13	the Gaza Strip, the Governate of Hebron, Jenin and
14	Q. Did you did you review, as you've just described it,	14	Tulkarem; do you see that?
15	did you reviewed Al-Hayat al-Jadida?	15	A. I see that.
16	A. Perhaps on occasion, yes.	16	Q. Do you have any reason to doubt that that's true?
17	Q. Did did you understand Al-Hayat al-Jadida to be	17	MR. HILL: Objection, lack of foundation.
18	associated with the Palestinian Authority?	18	A. I have no evidence that would support this claim.
19	A. My understanding was that people regarded it to be	19	BY MR. YALOWITZ:
20	associated with the Palestinian Authority.	20	Q. Do you have any evidence that would rebut it?
21	Q. Have you ever heard that it was the unofficial	21	A. Insofar as I spent some time in Hebron, Jenin and
22	mouthpiece of the Palestinian Authority?	22	Tulkarem, I do not recall Al-Hayat al-Jadida being
23	A. Yes, I believe I've heard that.	23	remarkably well received.
24	Q. Do you did you find that to be an accurate	24	Q. Did you conduct a study on that subject?
25	description?	25	A. I did not conduct a survey of Palestinian newspapers.
	Page 58		Page 60
1	MR. HILL: Objection, lack of foundation.	1	Q. In in your fieldwork, did you discuss Al-Hayat
2	A. Again, I don't know what official relationship it may	2	al-Jadida with your interview subjects?
3	have had. I had a sense of how Palestinians regarded	3	A. I discussed with my interview subjects their conception
4	that newspaper as being reflective of the PA.	4	of news media generally.
5	BY MR. YALOWITZ:	5	Q. What impressions did you form about Al-Hayat al-Jadida?
6	Q. Reflective of the official views of the PA?	6	A. My impression was that this was not a widely consulted
7	A. As I said, I understood Palestinians understood this	7	newspaper.
8	newspaper to be affiliated or reflective of	8	Q. At least not among those that you interviewed?
9	I understood that Palestinians believed that newspaper	9	A. Among these who I interviewed, and according to those
10	to be associated with the PA.	10	who I interviewed, their own assessment of their
11	Q. Al-Hayat al-Jadida was distributed primarily at the	11	society.
12	ministries and government organizations; is that true?	12	Q. Did you do you have any idea of why the Palestinian
13	A. I don't know.	13	Authority I'm sorry; let me reframe that question.
14	Q. Why don't we look at page 75 of the media map in front	14	It wasn't a good one.
15	of you; let's see if we can find out what they say about	15	Do you have any idea why Al-Hayat al-Jadida is
16	it.	16	considered the unofficial mouthpiece of the Palestinian
17	Do you see the entry on Al-Hayat al-Jadida in the	17	Authority?
18	Palestinian Media Map?	18	MR. HILL: Objection, lack of foundation.
19	A. Yes.	19	A. I don't know.
20	Q. They say that Al-Hayat al-Jadida is partially funded by	20	BY MR. YALOWITZ:
21	the government; do you see that?	21	Q. Did you ever look at a newspaper called Al-Shahada?
22	A. Yes.	22	A. Not to my recollection.
23	Q. Do you know whether that's true or false?	23	Q. Do you know what "Al-Shahada" means?
24	A. I do not know.	24	A. Yes.
25	Q. Do you see they are reporting Al-Hayat al-Jadida is	25	Q. What does it mean?

	Page 61		Page 63
1 .	A. "Martyrs."	1	A. I never met a Palestinian who I talked to about media
2	Q. Did you ever look at a newspaper called "Watani"?	2	consumption who said that these newspapers were
3	A. Watani?	3	important sources of information to them. To the
4	Q. Watani.	4	contrary, many people were critical, if not dismissive,
5	A. Not to my recollection.	5	of these newspapers as sources of information.
6	Q. Do you know what "Watani" means?	6	Q. Would you can you give us any percentage at all? Do
7	A. Watani? Yes.	7	you think it's zero percent? Do you think there were no
8	Q. What does it mean?	8	there was not one person who found them to be
9	A. It would mean "nationalist," or "nationalistic."	9	credible?
10	Q. Have you ever heard of either of those two publications?	10	A. It is rare for any society to be of one single opinion
11	A. Not to my recollection.	11	on any subject, so I wouldn't venture to say zero
12	Q. You said in your report well, let's get your report,	12	percent or 100 percent about anything.
13	so we can be specific.	13	Q. So can you give us anywhere in between that you would
14	MR. YALOWITZ: So we'll mark as Allen deposition exhibit 2	14	place the
15	the report of Dr. Lori Allen.	15	A. As I said, the vast majority I mean, I don't recall
16	(Exhibit 2 marked for identification.)	16	speaking to anyone who believed these newspapers to be
17	BY MR. YALOWITZ:	17	credible sources of information. Moreover, the majority
18	Q. Okay. Do you have your report in front of you?	18	of news consumption that I observed and that I talked to
19	A. Yes.	19	people about was satellite TV, and sometimes local news
20	Q. And let's just make sure that it is what it purports to	20	stations.
21	be; take a moment and glance over it. I'll represent to	21	Q. You mentioned in your report that the style and content
22	you that I believe it to be your report.	22	of news coverage was very similar across all news
23	Does it look like your report?	23	sources that you reviewed; is that right?
24	A. It does.	24	A. Yes.
25	Q. Okay. So I was going to ask you about something you	25	Q. Was that something that you looked at this year, or were
	Page 62		Page 64
1	wrote on page 14.	1	you going from memory of your time in
2	Are you there?	2	A. I believe that was
3	A. Yes.	3	Q Ramallah and Bethlehem?
4	Q. You wrote that Marcus cited some examples from Al-Quds,	4	A. That was a conclusion I reached at the time of my
5	Al-Ayyam and Al-Hayat al-Jadida.	5	research.
6	Do you see where I am?	6	Q. Is that something you studied at the time?
7	A. Yes.	7	A. It was part of what I was reviewing.
8	Q. And you note that only a small percentage of	8	Q. And and how did you study the question?
9	Palestinians considered these newspapers to be	9	A. I reviewed I reviewed some local papers and other
10	trustworthy sources of information?	10	publications on a regular basis; I watched TV with
11	A. Yes.	11	people in their homes; I watched TV from a variety of
12	Q. Can you estimate that percentage?	12	channels on my own and tried to consume media in ways
13	A. I did not conduct quantitative research and was not in	13	that were similar to the people that I was doing
14	the business of producing percentages. I concluded from	14	research with with the exception that I was often
15	my research that the vast majority of Palestinians did	15	buying and reviewing some local newspapers, which most
16	not regard these newspapers to be trustworthy or useful,	16	people did not do.
17	or and I concluded that most people didn't really	17	Q. Did you did you watch sermons on PATV?
18	read these newspapers as their main or even secondary	18	A. I may have come across them. They were not something
19	source of information.	19	that I specifically focused on.
20	Q. By the way, did you ever note people sharing newspapers	20	Q. Have you did you you read Marcus's report; right?
21	during your years living in Ramallah and Bethlehem?	21	A. Yes.
22	A. Yes, insofar as one newspaper might be in a family.	22	Q. Did you see he quoted some sermons that seemed
23	Q. Did did when you say "the vast majority," can	23	inciteful seemed to contain incitement?
24	you can you give us some sense of what ballpark	24	A. I recall that Marcus made the argument that some
25	you're in there?	25	religious sermons were inciteful.

	Page 65		Page 67
1	Q. I guess that would be with a "C," not an "S"; right?	1	MS. McMILLAN: No, there's there's not a translation; I'm
2	A. I believe so.	2	sorry.
3	Q. All right. And did you read the text of any of those	3	MR. YALOWITZ: Okay. So what we're what we're playing is
4	sermons?	4	what we believe to be an audio file that matches this
5	A. I read what was in Marcus's report, and	5	text.
6	Q. Did you watch the video that was attached as an exhibit	6	Q. We'll let you listen to it, Dr. Allen, and then we can
7	to his report?	7	perhaps ask some productive questions.
8	A. No, I didn't.	8	A. I believe the beginning that you just played is not in
9	Q. Based on what you saw, did you think that any of the	9	this text.
10	sermons he quoted contained incitement?	10	(Audio played.)
11	A. Can I see what specifically you're referring to?	11	THE WITNESS: Can you pause it? That is not this text.
12	Q. Sure.	12	MR. HILL: For the record, I heard "Israeli" and
13	(Discussion off the record.)	13	"American," which doesn't appear on the text of 25, so
14	(Exhibit 3 marked for identification.)	14	it might be a different thing.
15	BY MR. YALOWITZ:	15	MR. YALOWITZ: Okay.
16	Q. So I was let me direct to you page 25 of Marcus's	16	THE WITNESS: We can go from the text.
17	report.	17	MR. YALOWITZ: Why don't we go from the text.
18	Do you see there's a large block quote in the middle	18	Q. Let's assume that it's an accurate translation
19	that's a translation of something from Dr. Muhammad	19	A. Of something.
20	Ibrahim Madi?	20	Q of what it purports to be, which is a sermon. Do
21	A. I see that the report has text that claims that it was	21	you can you make that assumption?
22	translation from Muhammad Ibrahim Madi.	22	A. I am reading what is reported here by Marcus, that this
23	Q. Do you know who that is, Muhammad Ibrahim Madi?	23	is the translation of a speech by Dr. Muhammad Ibrahim
24	A. No.	24	Madi.
25	MR. YALOWITZ: So should we play the audio?	25	Q. All right. And we've we've just demonstrated the
	Page 66		Page 68
1	MS. McMILLAN: Sure.	1	one thing we've just demonstrated is that we don't seem
2	BY BY MR. YALOWITZ:	2	to have the original; fair to say?
3	Q. Would would it be helpful for you to listen to the	3	A. Yes.
4	audio?	4	Q. So so what I'm asking you to assume is that it is
5	A. That depends on what you're talking to me about.	5	accurately translated.
6	Q. Well, I just want to ask you some questions about the	6	
	substance of it. So why don't you take a moment and		A. Okay.
7		7	Q. That's an assumption we're making.
8	read Marcus's quote, and then we'll play the audio file	8	Q. That's an assumption we're making. And based on that assumption, do you think that it
8 9	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about	8 9	Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement?
8 9 10	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement.	8 9 10	Q. That's an assumption we're making.And based on that assumption, do you think that it is a a sermon that contains incitement?MR. HILL: Objection, lack of foundation for the
8 9 10 11	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text?	8 9 10 11	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that
8 9 10 11 12	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes.	8 9 10 11 12	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't
8 9 10 11 12 13	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.?	8 9 10 11 12 13	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and
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8 9 10 11 12 13 14 15	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.? MR. HILL: So since it's going to be in Arabic, do you want to make a representation about is it just the Arabic	8 9 10 11 12 13 14	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and obviously Dr. Allen does not have the entire sermon. But she can respond to the best of her ability in light
8 9 10 11 12 13 14 15 16	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.? MR. HILL: So since it's going to be in Arabic, do you want to make a representation about is it just the Arabic version of the English that's on page 25? Is it the	8 9 10 11 12 13 14 15	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and obviously Dr. Allen does not have the entire sermon. But she can respond to the best of her ability in light of those objections.
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8 9 10 11 12 13 14 15 16 17 18 19 20	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.? MR. HILL: So since it's going to be in Arabic, do you want to make a representation about is it just the Arabic version of the English that's on page 25? Is it the entire sermon? Is it MS. McMILLAN: I believe there's translations on the audio. MR. YALOWITZ: So we'll be able to MR. HILL: So we'll follow it in English?	8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and obviously Dr. Allen does not have the entire sermon. But she can respond to the best of her ability in light of those objections. A. I don't know what "incitement" refers to something that is said or conveyed with the as far as I understand it, with the intention of producing certain kinds of actions, or that has the result of certain
8 9 10 11 12 13 14 15 16 17 18 19 20 21	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.? MR. HILL: So since it's going to be in Arabic, do you want to make a representation about is it just the Arabic version of the English that's on page 25? Is it the entire sermon? Is it MS. McMILLAN: I believe there's translations on the audio. MR. YALOWITZ: So we'll be able to MR. HILL: So we'll follow it in English? MR. YALOWITZ: We'll be able to follow along.	8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and obviously Dr. Allen does not have the entire sermon. But she can respond to the best of her ability in light of those objections. A. I don't know what "incitement" refers to something that is said or conveyed with the as far as I understand it, with the intention of producing certain kinds of actions, or that has the result of certain kinds of actions. And I have no basis on which to make
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.? MR. HILL: So since it's going to be in Arabic, do you want to make a representation about is it just the Arabic version of the English that's on page 25? Is it the entire sermon? Is it MS. McMILLAN: I believe there's translations on the audio. MR. YALOWITZ: So we'll be able to MR. HILL: So we'll follow it in English? MR. YALOWITZ: We'll be able to follow along. MR. HILL: Okay.	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and obviously Dr. Allen does not have the entire sermon. But she can respond to the best of her ability in light of those objections. A. I don't know what "incitement" refers to something that is said or conveyed with the as far as I understand it, with the intention of producing certain kinds of actions, or that has the result of certain kinds of actions. And I have no basis on which to make any kind of analysis about what this text or speech was
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8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	read Marcus's quote, and then we'll play the audio file for you, and then I can ask you some questions about this, as this quotation, as it relates to incitement. Have you had a chance to read that text? A. Yes. Q. Okay, let's see if we can play the audio file for you.? MR. HILL: So since it's going to be in Arabic, do you want to make a representation about is it just the Arabic version of the English that's on page 25? Is it the entire sermon? Is it MS. McMILLAN: I believe there's translations on the audio. MR. YALOWITZ: So we'll be able to MR. HILL: So we'll follow it in English? MR. YALOWITZ: We'll be able to follow along. MR. HILL: Okay.	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. That's an assumption we're making. And based on that assumption, do you think that it is a a sermon that contains incitement? MR. HILL: Objection, lack of foundation for the assumptions. And I'll also note the objection that there is an ellipsis in the text on page 25, so we don't have the entire even portion of the sermon, and obviously Dr. Allen does not have the entire sermon. But she can respond to the best of her ability in light of those objections. A. I don't know what "incitement" refers to something that is said or conveyed with the as far as I understand it, with the intention of producing certain kinds of actions, or that has the result of certain kinds of actions. And I have no basis on which to make any kind of analysis about what this text or speech was

	Page 69		Page 71
1 .	BY MR. YALOWITZ:	1	I could draw conclusions about the nature of
2	Q. So do you think this is a do you think these are	2	Palestinian general Palestinian attitudes towards the
3	reasonable things to put on television, these	3	occupation, and general attitudes towards what they
4	statements?	4	wanted out of a political future.
5	A. I don't know, again, the context in which this speech or	5	So the specific motivations behind PA editorial
6	text was put on TV.	6	staff, I do not have a basis for providing analysis.
7	Q. Does it seem like this is a a person who is	7	Q. Okay. Thank you.
8	encouraging peace and reconciliation?	8	Now I want to show you an article from Al-Hayat
9	A. I am unable to infer the intentions or expectations of	9	al-Jadida, and this is from May 18th, 2001.
10	the person who allegedly said or wrote this text.	10	MR. YALOWITZ: We'll mark it as Allen 3.
11	Q. Really? You think that it might be that somebody	11	MR. HILL: 4.
12	writes: "We blow them up in Hadera, we blow them up in	12	MR. YALOWITZ: Fine. We'll mark it as Allen 4, rather than
13	Tel-Aviv and in Netanya through the mastery of Allah"	13	as Allen 3, second so numbered.
14	"though the mastery that Allah placed us upon this	14	(Exhibit 4 marked for identification.)
15	riff-raff," you think that that might be somebody	15	BY MR. YALOWITZ:
16	encouraging peace and reconciliation?	16	Q. So do you have Allen 4 before you?
17	MR. HILL: Objection, argumentative.	17	A. Yes.
18	A. In my research, I try to understand what people say, why	18	Q. I would like to you should feel free to read whatever
19	they say it in a particular context. Because I don't	19	portion of it you'd like, but I'd like to direct your
20		20	attention to a paragraph on the second page. And the
	have that context and did not speak with this Dr. Madi, I cannot draw any conclusion about the desires for peace	21	paragraph is in the left-hand column, and it's one, two
21		22	
22	and reconciliation that may or may not have been		the third full paragraph.
23	harbored in his heart and thoughts.	23	Do you have that?
24	BY MR. YALOWITZ:	24	A. The paragraph that begins (Arab spoken)?
25	Q. And is the same true of the editorial staff at PATV who	25	Q. Does the paragraph begin (Arab spoken)?
	Page 70		Page 72
1	allowed this to be shown on PATV: You have no basis to	1	(Arab spoken.)
2	draw any conclusions about their motivations?	2	MR. YALOWITZ: Okay. We're together on that. The linguists
3	MR. HILL: Objection, lack of foundation.	3	are together on that.
4	A. I didn't	4	Q. Just let me know when you've read that paragraph.
5	BY MR. YALOWITZ:	5	A. The text is smudged, and there's a a line of black
6	Q. I'm sorry?	6	through it that makes it not completely legible to me.
7	A. I did not talk to them about their editorial policy.	7	Q. All right. I'm I'm going to read a translation that
8	Q. And so a moment ago you said you had no basis to reach	8	I have.
9	a conclusion about Dr. Madi; do you remember you said	9	A. Okay.
10	that?	10	Q. And I'll ask you if you believe it's accurate:
11	A. Yes.	11	"The decisive battle in which Muslims shall win is
12	Q. And is that also true of the editorial staff of PATV?	12	certainly coming"
13	A. What are you asking me?	13	A. Sorry, can you tell me where in the paragraph you're
14	Q. Do you have a basis to reach a conclusion about the	14	beginning that translation?
15	motivations of the editorial staff of PATV?	15	Q. I can't, but my consultant probably can.
16	MR. HILL: Objection, vague. Do you mean as to this	16	A. Tell me again the first line you think you have.
17	particular piece, or do you mean it in the very broad	17	Q. Sure:
18	sense you've asked it?	18	"The decisive battle in which Muslims shall win is
19	BY MR. YALOWITZ:	19	certainly coming."
20	Q. You can answer.	20	A. I don't see it yet in this paragraph.
21	MR. HILL: She can respond.	21	Q. How about "The day of judgment": Do you see a sentence
22	A. Again, my my research, and my research method,	22	beginning with "The day of judgment"
		0.0	A If in the second of th
23	involves collecting and analyzing a variety of forms of	23	A. If you give me a moment. It may be that the sentence
23 24	involves collecting and analyzing a variety of forms of representation; and on the basis of a broad variety of	23 24	you

	Page 73		Page 75
1 .	A. I think it may be later.	1	So I can understand an interpretation of this in
2	Why don't you proceed with what you think you have.	2	which "the descendants of pigs" are referring to Jews.
3	Q. Sure.	3	Q. And what do you understand Al-Hayat al-Jadida was trying
4	"The day of judgment shall not come to pass until	4	to convey with that text?
5	the"	5	MR. HILL: Objection, lack of foundation.
6	A. Is this after the line about the the Muslims coming?	6	A. I do not know what Al-Hayat al-Jadida or who at Al-Hayat
7	Q. Yes.	7	al-Jadida was trying to convey I don't know who chose
8	A. Uh-huh.	8	to print this, so I can't say.
9	Q. "The day of judgment shall not come to pass until the	9	BY MR. YALOWITZ:
10	believers defeat the descendants of monkeys and pigs and	10	Q. Did you read that article when it came out in 2001?
11	annihilate them."	11	A. Not that I recall.
12	Do you see that line in the text?	12	Q. Is that how did you describe your use of newspapers?
13	A. Yeah yes.	13	Did you use the word "triangulation," or was that my
14	Q. And then the text goes on:	14	interpretation of what you were saying?
15	"Muslim Abu Daoud and Ahmed mention that Abu Haraya	15	A. I said that collection of other documents and data was
16	heard the prophet, may Allah's blessings and peace be	16	part of the process of triangulation.
17	upon him, saying the day of judgment shall not come to	17	Q. So but but that article was not one that you
18	pass until the Muslims fight against the Jews."	18	considered when you were reaching your opinions and
19	Do you see that line?	19	rendering your report?
20	A. Yes.	20	A. No. I wasn't looking at I was looking at, generally,
21	Q. And then it goes on, and it says:	21	coverage of Intifada events, and looking at how
22	"The Muslims shall kill the Jews, and the Jews shall	22	suffering was being conveyed.
23	hide behind stones and trees."	23	Q. Did did you read the report of Marcus before you
24	Do you see that?	24	issued your report?
25	A. Yes.	25	A. Yes.
	Page 74		Page 76
1	Q. Do you understand the text to be referring to Jews as	1	Q. And did you read the exhibits?
2	descendants of monkeys and pigs?	2	A. I looked at some exhibits.
3	MR. HILL: Objection, lack of foundation.	3	Q. You didn't look at this one, though; right?
4	A. I I'm not sure what I'm not sure that there's only	4	A. I I do believe I saw a translation of this.
5	one way to read the text. Could you repeat your	5	Q. Is is the translation fair, that I read?
6	question?	6	A. I believe so.
7	BY MR. YALOWITZ:	7	Q. And you said that you saw how it could be understood
8	Q. The question is: Do you understand the text to be	8	that somebody reading that would think that the writer
9	referring to the Jewish people as descendants of monkeys	9	was using a derogatory term about the Jewish people;
10	and pigs?	10	right?
11	MR. HILL: Objection, lack of foundation.	11	A. Yes.
12	A. As I said, it's not it's not totally clear in this	12	Q. And what other explanation do you have for that text?
13	paragraph.	13	A. "Explanation"? You mean what other interpretation?
14	BY MR. YALOWITZ:	14	Q. Right.
15	Q. How do you understand who do you understand the	15	A. Yeah, I was just pointing out that my that the text
16	reference to "descendants of monkeys" to "descendants	16	itself does not say, you know, explicitly that Jews are
17	of monkeys and pigs" to be in that text?	17	the descendants of pigs and monkeys, although this
18	A. The paragraph is discussing the the paragraph is	18	phrase is in a context of discussing Muslim victory, and
19	discussing when Muslims will be victorious. It	19	it's in the context of discussing the fight between
20	discusses a hadith, a saying of the prophet, which other	20	Muslims and Jews.
21	Islamic scholars believe to be correct, credible. It	21	So that's all I was trying to point out.
22	says that the "the time of victory of the believers	22	Q. All right. Do you do you know of a town called
23	over the descendants of pigs," and then it goes on to	23	Khaibar?
24	talk about the battle and the the fighting between	24	A. Khaibar?
25	Jews and Muslims.	25	Q. Khaibar. Are you

1 2	Page 77		Page 79
	A. I've heard it referred to.	1	Q. Okay. That's what I was going to ask you.
_	Q. It's mentioned in the Koran?	2	All right. Did you ever notice that sporting events
3	A. That, I don't know.	3	were named after martyrs?
4	Q. It's in it's in Saudi Arabia?	4	A. I did not attend or recall sporting sporting events
5	A. Okay. I don't know.	5	named after martyrs.
6	Q. Is that right? You don't do you know what happened	6	Q. Did you ever notice that town squares were named after
7	there?	7	terrorists?
8	MR. HILL: Objection, lack of foundation.	8	A. I don't know who you're referring to. I know that there
9	You can respond if you want.	9	were references to places called "Martyrs Passing," or
10	A. I don't know what happened there, no.	10	maybe "Martyr Street."
11	BY MR. YALOWITZ:	11	Q. Well, martyrs, I think you you wrote in your report
12	Q. Did did you ever hear that Mohammed killed the Jewish	12	that the word "martyr" is is one of somewhat broad
13	residents of Khaibar?	13	application; right?
14	A. I don't recall.	14	A. Yes.
15	Q. That's not a reference that's familiar to you?	15	Q. So "Martyr Street" doesn't really teach us much about
16	A. I don't know the specifics of the reference.	16	what the meaning of the what the intention of
17	Q. By "Mohammed," I mean the the prophet.	17	somebody naming the place "Martyr Street" is; right?
18	A. The prophet Mohammed.	18	A. My interpretation was that first of all, Martyr Square
19	Q. It's not ringing any bells?	19	or Martyr Street was not necessarily an official name,
20	A. Well, there yes. I mean, I'm familiar with reference	20	but it's how certain areas came to be referred to by
21	to Khaibar as a place where Jews were killed. I don't	21	regular people, because they were locations in which
22	know the specifics of who was thought to believed to	22	many people had died, or they were considered to be
23	be responsible for it.	23	dangerous locations. It does teach us that martyrdom
24	Q. When you were living in Ramallah and the West Bank, did	24	I'll end there.
25	people ever talk about the story of Khaibar as reported	25	Q. Okay.
	Page 78		Page 80
1	in the Koran?	1	MS. McMILLAN: We don't have it; I'm sorry.
2	A. I never heard well, I don't recall hearing the story	2	MR. YALOWITZ: All right. We'll come back to it.
3	of Khaibar.	3	Q. There were also town squares named for individuals;
4	Q. What do you what what's the basis for your	4	right?
5	knowledge about Khaibar?	5	A. Such as ?
6	A. There was I heard on at least one occasion a a	6	Q. For example, did you ever hear of an individual named
	chant during a demonstration, which was "Khaibar,	7	
7			Raed Nazal?
7 8	Khaibar ya yahud." And I don't recall the the end of	8	A. No.
	the of the chant.	9	
8 9 10	the of the chant. Q. What does that mean, "ya yahud"?	9 10	A. No.Q. Do you know who that is?A. No.
8 9 10 11	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of	9 10 11	A. No.Q. Do you know who that is?A. No.Q. About how Abu al-Assir: Did you ever hear him referred
8 9 10 11 12	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews."	9 10 11 12	A. No.Q. Do you know who that is?A. No.Q. About how Abu al-Assir: Did you ever hear him referred to by that name?
8 9 10 11 12 13	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with	9 10 11 12 13	A. No.Q. Do you know who that is?A. No.Q. About how Abu al-Assir: Did you ever hear him referred to by that name?A. I don't recall that name.
8 9 10 11 12 13 14	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar?	9 10 11 12 13 14	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal
8 9 10 11 12 13 14 15	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall.	9 10 11 12 13 14	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi?
8 9 10 11 12 13 14 15 16	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall. MR. YALOWITZ: Do we have that video?	9 10 11 12 13 14 15	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi? A. Yes.
8 9 10 11 12 13 14 15 16	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall. MR. YALOWITZ: Do we have that video? (Discussion off the record.)	9 10 11 12 13 14 15 16	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi? A. Yes. Q. And who was that?
8 9 10 11 12 13 14 15 16 17	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall. MR. YALOWITZ: Do we have that video? (Discussion off the record.) BY MR. YALOWITZ:	9 10 11 12 13 14 15 16 17	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi? A. Yes. Q. And who was that? MR. HILL: Objection, lack of foundation.
8 9 10 11 12 13 14 15 16 17 18	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall. MR. YALOWITZ: Do we have that video? (Discussion off the record.) BY MR. YALOWITZ: Q. I think you you mentioned or I asked you about the	9 10 11 12 13 14 15 16 17 18	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi? A. Yes. Q. And who was that? MR. HILL: Objection, lack of foundation. A. She was I believe that she is someone that
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8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall. MR. YALOWITZ: Do we have that video? (Discussion off the record.) BY MR. YALOWITZ: Q. I think you you mentioned or I asked you about the exhibits to mark as the report; did you notice there was a did you get the exhibits? A. I received some I received some exhibits. I can't	9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi? A. Yes. Q. And who was that? MR. HILL: Objection, lack of foundation. A. She was I believe that she is someone that Palestinians believe to be involved in resistance to the occupation. BY MR. YALOWITZ:
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8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the of the chant. Q. What does that mean, "ya yahud"? A. What that means is "Khaibar, Khaibar" the name of this place "Oh Jews." Q. All right. Did you ever see on PATV a video with references to Khaibar? A. I don't recall. MR. YALOWITZ: Do we have that video? (Discussion off the record.) BY MR. YALOWITZ: Q. I think you you mentioned or I asked you about the exhibits to mark as the report; did you notice there was a did you get the exhibits? A. I received some I received some exhibits. I can't	9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. No. Q. Do you know who that is? A. No. Q. About how Abu al-Assir: Did you ever hear him referred to by that name? A. I don't recall that name. Q. And did you ever hear of an individual named Dalal al-Maghribi? A. Yes. Q. And who was that? MR. HILL: Objection, lack of foundation. A. She was I believe that she is someone that Palestinians believe to be involved in resistance to the occupation. BY MR. YALOWITZ:

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1	MR. HILL: Objection, asked and answered, lack of	1	context of armed conflict?
2	foundation.	2	MR. HILL: Objection, lack of foundation.
3	A. I know that she was reported in widely reported in	3	A. In the context of the Second Intifada, I believe this to
4	the news media to have been a suicide bomber.	4	be a reference to this to be a reference to the fight
5	BY MR. YALOWITZ:	5	against occupation.
6	Q. And Dalal al-Maghribi: Is it your understanding that	6	BY MR. YALOWITZ:
7	she participated in an attack on Israeli civilians?	7	Q. And do you think it's a a reference to using violence
8	MR. HILL: Objection, lack of foundation.	8	to fight against occupation?
9	A. I don't know.	9	MR. HILL: Objection, lack of foundation.
10	Q. Are there streets or squares named after Dalal	10	A. I think it depends on the context in which such
11	al-Maghribi?	11	a statement would be made or heard.
12	A. Not that I know of.	12	BY MR. YALOWITZ:
13	Q. Did you ever hear of I may have asked you this, but	13	Q. So, like, a video of a mom giving her kids rifles, do
14	you never heard of any sporting events were named after	14	you think that's that context suggests that whoever
15	people who attacked civilians?	15	aired that video was encouraging violence against Jewish
16	A. Not that I know of.	16	people?
17	Q. Why don't we come back to the video about Khaibar.	17	MR. HILL: Objection, lack of foundation.
18	(Video played.)	18	A. My based on what I understood of the context of the
19	BY MR. YALOWITZ:	19	Second Intifada, and the occupation, and how
20	Q. Is that a did you have did you have a chance to	20	Palestinians were representing their situation and
21	watch that video we just played?	21	seeking to end the occupation, I would understand that
22	A. Just now.	22	video to be a reflection of the values that Palestinians
23	Q. Is that the first time you've ever seen it?	23	had for fighting the occupation.
24	A. Yes.	24	Q. So
25	Q. Do you you did some work about mothers in mothers	25	MR. YALOWITZ: I'm sorry, Fiona, could I just have the
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1		_	
1	of suicide bombers; is that right? Or mothers of	1	question back.
2	Shahid, maybe, Shahada?	2	(Record read.)
3	A. I wrote an article about mothers of martyrs.	3	BY MR. YALOWITZ:
4	Q. And did did was that typical of the way mothers	4	Q. Right. So the question, I understand that there
5	of martyrs were portrayed in Palestinian society, that	5	I agree with you that there's an element of resistance
6	video?	6	in that video. My question is: Is there an element of
7	MR. HILL: Objection, lack of foundation.	7	violence?
8	A. In my research, there was a variety of ways in which	8	MR. HILL: Objection, vague.
9	mothers of martyrs portrayed themselves and were	9	You can respond.
10	portrayed by others. BY MR. YALOWITZ:	10 11	A. The the answer to your question is your original question is no, this was not an encouragement of
11 12		12	
13	Q. Did you when you were living in Ramallah and Bethlehem, did you see images on television of mothers	13	violence against the Jewish people, I don't think. I think it was a reflection of the appreciation of
14	•	14	people who fought the occupation, including people who
15	handing their children rifles? A. No.	15	fought the occupation through the use of violence.
16	Q. Did and does that video give you any context for	16	BY MR. YALOWITZ:
17	Khaibar, what it meant?	17	Q. So sitting here today, I think we've agreed you're not
18	MR. HILL: Objection, lack of foundation.	18	familiar with the way the story of Khaibar is portrayed
19	A. As I said, what I understood was that Palestinians	19	in the Koran; right?
20	understood Khaibar to be a reference to a place,	20	A. Correct.
	discussion initiation to be a reference to a place,		
2.1	I believe where Iews were killed I don't know by	21	() So I'm going to ask you about this video when we're
21	I believe, where Jews were killed. I don't know by	21	Q. So I'm going to ask you about this video when we're together in New York in front of the jury and
22	whom.	22	together in New York, in front of the jury, and
22 23	whom. BY MR. YALOWITZ:	22 23	together in New York, in front of the jury, and hopefully by then you will have familiarized yourself
22	whom.	22	together in New York, in front of the jury, and

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1 .	violence when a political leader appears in public	1	because you've cited it. Does it look familiar to you?
2	holding a submachine gun?	2	A. Not in this form. It may have been something I looked
3	A. Is it an encouragement of violence when a political	3	at online; it would be helpful to know the footnote.
4	leader holds a submachine gun? I I don't know.	4	Q. Sure. Why don't we why don't we have a race; we'll
5	Q. So, like, have you ever seen an image of President Obama	5	see who finds it first.
6	holding a submachine gun?	6	Footnote 112.
7	A. No.	7	A. Thank you.
8	Q. How about any of the politicians out there in Kansas	8	Q. Do you see the reference in context?
9	City, where you grew up: Any of them ever appear in	9	A. Yes.
10	public with their submachine guns?	10	Q. And is this is this an article that you were familiar
11	A. I've seen former President Bush in an airman's uniform	11	with before you wrote your report?
12	coming off, I think, an aircraft carrier.	12	A. I don't believe so.
13	Q. Mm-hmm. And that was a warlike image; right?	13	Q. You relied on it for a statement of certain facts; is
14	A. I think, in the context in which that image appeared, it	14	that fair to say?
15	was an effort of the the presidency to claim a	15	A. Yes.
16	a victory.	16	Q. All right. And the fact that I wanted to ask you did
17	Q. "Mission Accomplished"? That was the famous "Mission	17	you notice that he had well, let me ask a different
18	Accomplished photo?	18	question: Did you notice that he had a lengthy
19	A. Yeah. And that was not, I don't think, an encouragement	19	chronology of different events that took place, like,
20	to violence; I think it was a in the Bush efforts,	20	starting on page 9?
21	a celebration of what he or his regime thought was	21	A. I see that.
22	a victory.	22	Q. Did you find him to be a reliable reporter of the facts?
23	Q. A military victory?	23	MR. HILL: Objection, lack of foundation.
24	A. Mm-hmm.	24	A. I was not referring to his draft for chronological
25	Q. Right?	25	facts, so I have no assessment.
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1	A. I believe so.	1	BY MR. YALOWITZ:
2	Q. So did you ever see Yasser Arafat in public?	2	Q. All right. Did you read the chronology?
3	A. I saw him on TV. I never saw him in person.	3	A. I doubt it, because that's not what I was referring to
4	Q. Did you ever see him holding his submachine gun in	4	this report for.
5	public?	5	Q. Could you look with me on page 18.
6	A. I never saw him personally, and I don't recall seeing	6	A. Yes.
7	him holding a gun.	7	Q. Do you see the entry for December 4th?
8	Q. All right.	8	A. Yes.
9	MR. YALOWITZ: Let's how long have we been going? Is it	9	Q. The Cordesman is reporting that:
10	time for a break or should we	10	"Yasser Arafat is seen in the public for the first
11	MR. HILL: We've been going for an hour and 20.	11	time since 1994 holding his sub-machine gun."
12	MR. YALOWITZ: All right.	12	Do you see that?
13	Q. Would you like to have a break?	13	A. I see that reference, yes.
14	A. I'm happy to have a break.	14	Q. Does does that refresh your recollection as to
15	MR. YALOWITZ: Okay. Great. We'll we'll pause for	15	whether Arafat appeared in public with his submachine
16	a little while.	16	gun?
17	(A break was taken.)	17	A. What I recall is the story of the gun and the olive
18	(Exhibit 5 marked for identification.)	18	branch at the UN, which was I believe when Arafat agreed
19	MR. YALOWITZ:	19	to I don't know this history, but I believe it's when
l .		20	he decided to recognize Israel again, or decided or
20	Q. So while we were on break, we marked as Allen exhibit 5		
21	an article by Anthony Cordesman; do you have that before	21	perhaps it was when he made some speech in the UN.
21 22	an article by Anthony Cordesman; do you have that before you, Dr. Allen?	21 22	perhaps it was when he made some speech in the UN. There was a reference to him saying, "I come with an
21 22 23	an article by Anthony Cordesman; do you have that before you, Dr. Allen? A. Yes.	21 22 23	perhaps it was when he made some speech in the UN. There was a reference to him saying, "I come with an olive branch and a gun."
21 22	an article by Anthony Cordesman; do you have that before you, Dr. Allen?	21 22	perhaps it was when he made some speech in the UN. There was a reference to him saying, "I come with an

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1	Q. So let's just talk about this story of the olive branch	1	A. I don't know Arafat's intentions or motivations. As I
2	and the gun. Just tell me what you remember about that	2	said, I understand generally the gun to be or guns,
3	story. Take we'll come back to the December 4th	3	generally to represent resistance to Israeli
4	incident, but just the olive branch and the gun.	4	occupation.
5	A. What I think I recall I mean, and now I may be	5	BY MR. YALOWITZ:
6	getting confused is that Arafat made a speech or some	6	Q. Was Arafat an important figure in the West Bank and Gaza
7	sort of representation at the UN, where he said he's	7	in the year 2000?
8	or I mean, was this when he made the peace in in '93	8	A. An important figure? Yes, he was.
9	with Rabin I actually don't recall.	9	Q. Would it be fair to say he was by that time iconic?
10	My first thought was that it was something at the UN	10	A. Yes, I would say so.
11	where he said, "I'm coming with the olive branch of	11	Q. Do you think he understood that?
12	peace and the gun, and it's up to us to decide which one	12	A. Yes.
13	wins," or something like that. This is a vague	13	MR. HILL: Objection, lack of foundation.
14	recollection.	14	Go ahead.
15	Q. So we'll have to figure this out before we see each	15	A. I don't know, but I would guess so.
16	other again in New York.	16	BY MR. YALOWITZ:
17	Do you see that your your sense is that the	17	Q. So do you think that his appearing in public with a gun
18	olive branch speech was at the time that Arafat	18	for the first time since 1994 was accidental?
19	renounced violence and agreed to recognize Israel's	19	MR. HILL: Objection, lack of foundation.
20	legitimacy?	20	A. I don't know what you mean by "accidental."
21	A. That's what I thought.	21	BY MR. YALOWITZ:
22	Q. That sounds consistent with the symbolism of an olive	22	Q. Well, let me ask it a different way, then.
23	branch; right?	23	A. Please.
24	A. Yes.	24	Q. Do you think that when Arafat appeared with a gun for
25	Q. And you see Cordesman and by the way, just	25	first time since 1994, at the beginning of the Second
	Page 90	-	Page 92
1	chronologically, you recall that was in the '93 time	1	Intifada, he was doing so with an understanding that
2	frame; is that right?	2	that that that act would be understood as encouraging
3	A. No.	3	resistance?
4	MR. HILL: Objection, lack of foundation.	4	MR. HILL: Objection, lack of foundation.
5	A. No. This is what I don't recall.	5	A. I would guess that he knew that the Palestinian people
6	BY MR. YALOWITZ:	6	appreciated and valued resistance to the occupation,
7	Q. Do you know when the first Oslo Accord was?	7	including at this period. I would guess that he knew
8	A. The the peace was in '93.	8	that most Palestinians saw guns as a symbol of
9	Q. So then do you see Cordesman is writing that for the	9	resistance to occupation.
10	first time since 1994, Arafat is appearing in public	10	BY MR. YALOWITZ:
11	with his submachine gun?	11	Q. And and not just peaceful resistance, but violent
12	A. Yes.	12	resistance; right?
13	Q. That seems inconsistent with appearing with an olive	13	A. Violent resistance to occupation, yes.
14	branch; right?	14	Q. Did you, when you were in by the way, you've returned
15	MR. HILL: Objection. Lack of foundation, out of context.	15	to the West Bank and Gaza since you did your fieldwork
16	The witness can answer.	16	in February of '03; right?
17	A. I understand that the gun, in Palestinian society, is	17	A. Correct.
18	a symbol of resistance to occupation.	18	Q. How often have you returned?
19	BY MR. YALOWITZ:	19	A. I returned every year or two, approximately, probably
20	Q. And and what do you understand the olive branch to be	20	every two years, up until four years ago, four or five
21	a symbol of?	21	years ago.
22	A. The olive branch is a symbol of resolution and peace.	22	Q. And since then
23	Q. So which was Arafat trying to convey by appearing with	23	A. But I haven't been since.
24	a gun at the beginning of the Second Intifada?	24	Q. When's the last time you were in Gaza?
25	MR. HILL: Objection, lack of foundation.	25	A. It probably would have been 2002 or 2003.

	Page 93		Page 95
1	Q. Did did you do you keep up with Palestinian media?	1	A. Yes, I well, trying to think of specific coverage I
2	A. Do I regularly review Palestinian media now? No.	2	may have seen I've read news reports about her and
3	Q. Did you ever see, either when you were living there	3	her family.
4	or I guess it would only be when you were living there,	4	Q. Have you seen news items praising her as heroic?
5	because have you watched Palestinian TV since you've	5	A. I don't recalling specific instances.
6	left Ramallah?	6	Q. Do you what do you understand her to have done?
7	A. As in PATV?	7	MR. HILL: Objection, lack of foundation. You can respond
8	Q. Yes.	8	again.
9	A. No.	9	A. As I said before, I know that she was widely reported in
10	Q. No	10	the news to have been responsible for a suicide bombing.
11	A. I have not	11	BY MR. YALOWITZ:
12	Q you've not looked at it? Okay.	12	Q. Why don't we shall we look at well, why don't we
13	When you were living there, did you ever see	13	wait until our Arabic source gets back to look at
14	television broadcasts about members of Palestinian	14	a document.
15	Authority security forces who were in Israeli prisons?	15	Did you ah, here he is; okay. Why don't we look
16	A. I recall seeing I recall seeing coverage, I believe,	16	at a document we'll mark as Allen 6.
17	of I'm trying to think.	17	(Exhibit 6 marked for identification.)
18	I think I recall seeing call-in shows between	18	BY MR. YALOWITZ:
19	either Palestinians who were in prison or in exiled	19	Q. Do you have Allen 6?
20	from their home town, where the family would talk to	20	Can you tell what newspaper this is from?
21	those people.	21	A. I don't see the title of the newspaper on this article.
22	Q. And and how did how did those television these	22	MR. MARCUS: Left-hand side.
23	are on PATV?	23	A. Could be from Ayyam Hursdeniyen, could be from Al Ayyam,
24	A. I don't recall specifically what channels they would	24	but it doesn't say it doesn't have the masthead of
25	have been broadcast on.	25	Al-Ayyam.
	Page 94		Page 96
1	Q. How did the television shows portray the prisoners?	1	BY MR. YALOWITZ:
2	A. These kinds of shows that I'm thinking about right now		
	A. These kinds of shows that I'm uniking about right how	2	Q. All right. Do you recognize the image in the photograph
3	were mainly efforts to allow families to express their	2	Q. All right. Do you recognize the image in the photograph on the on the side of that box there (Indicating)?
3	were mainly efforts to allow families to express their	3	on the on the side of that box there (Indicating)?
3 4	were mainly efforts to allow families to express their love and appreciation for the people who they couldn't	3 4	on the on the side of that box there (Indicating)? A. I recognize this to be, I think, an image that was
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3 4 5 6	were mainly efforts to allow families to express their love and appreciation for the people who they couldn't be with. Q. Did they talk about the crimes that the prisoners had	3 4 5 6	on the on the side of that box there (Indicating)? A. I recognize this to be, I think, an image that was circulated of Wafa Idris. Q. And you should feel free to read anything in the article
3 4 5 6 7	were mainly efforts to allow families to express their love and appreciation for the people who they couldn't be with. Q. Did they talk about the crimes that the prisoners had committed?	3 4 5 6 7	on the on the side of that box there (Indicating)? A. I recognize this to be, I think, an image that was circulated of Wafa Idris. Q. And you should feel free to read anything in the article that you'd like, but I'd like to direct your attention
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	Page 97		Page 99
1	means. You don't have to read it out loud; she won't be	1	that Ziad Abu Ein clarifies that the the struggle
2	able to take it down.	2	path will continue until the end of occupation, and that
3	A. Okay.	3	the blood of the martyrs will not go in vain.
4	"In his role, Ziad Abu Ein, a member of the higher	4	So in this context, I understand this to be
5	committee of the Fatah movement, said" (Arabic	5	a statement of praise for people who are perceived to
6	spoken) I'm not sure what (Arabic spoken) means	6	have been part of the struggle against occupation.
7	said something about the heroism of Idris, a member of	7	BY MR. YALOWITZ:
8	the Al-Aqsa Martyr Brigades, connected to the movement";	8	Q. So
9	i.e., referring to the movement, I suppose, of Fatah.	9	A. And it was a statement of appreciation for those who are
10	Q. Okay. Who is Ziad Abu Ein?	10	perceived to have sacrificed themselves in that effort.
11	MR. HILL: Objection, lack of foundation.	11	Q. So am I understanding let me let me just try to
12	A. I don't know.	12	unpack that a little bit.
13	BY MR. YALOWITZ:	13	A. Okay.
14	Q. Do you do you know I'm sorry, did you say the	14	Q. Okay? So what you just described is is people who
15	movement committee of Fatah? Is that how he's referred	15	were killed during the course of resistance to the
16	to in the article?	16	occupation, some of whom engaged in violence against
17	A. No, I said he's referred to here as member of the higher	17	civilians, and others who did not; right?
18	committee the higher yeah, the higher committee,	18	MR. HILL: Objection. Lack of foundation, misstates the
19	I believe.	19	witness's testimony.
20	Q. All right. And do you know what that is?	20	A. What are you asking me to confirm?
21	A. No.	21	BY MR. YALOWITZ:
22	Q. Do you do you know what he was intending to convey by	22	Q. So so you described well, let me try it a little
23	praising the heroism of Wafa Idris?	23	different way.
24	MR. HILL: Objection, lack of foundation.	24	Would you agree that the article we're looking at
25	A. I do not know the intentions of Ziad Abu Ein in this	25	includes praise of someone who committed violence
	Page 98		Page 100
1	instance.	1	against civilians?
2	BY MR. YALOWITZ:	2	MR. HILL: Objection, lack of foundation.
3	Q. What do you understand would be perceived by people who	3	A. As I said, I know that it was reported that Wafa Idris
4	read about a member of Fatah praising the heroism of	4	was involved in a suicide bombing in which civilians
5	Wafa Idris?	5	were killed.
6	MR. HILL: Objection, lack of foundation.	6	BY MR. YALOWITZ:
7	A. You're asking me to surmise what people would understand	7	Q. And and so your opinion is that the praise of people
8	from this statement, if it was made in this form? Is	8	who were killed in the context of the violence is not
9	that what you're asking me to do?	9	limited to a suicide bomber like Wafa Idris; right?
10	BY MR. YALOWITZ:	10	A. Correct.
11	Q. Right. But that's part of what you did as your	11	Q. But at the same time, I think you would agree with me
12	A. Indeed.	12	that the praise includes people who directed violence
13	Q as your work?	13	against civilians; right?
14	A. Yeah. I'm clarifying your question; that's all.	14	MR. HILL: Objection, lack of foundation.
15	Q. Right.	15	A. There was general praise and appreciation for people who
16	MR. HILL: Same objection.	16	were seen to have been involved in acts of resistance
17	Go ahead.	17	against the occupation. Many people regarded,
18	A. I would understand that this was a statement of praise	18	I think many people I think regarded violent acts of
19	for resistance to the occupation.	19	resistance to be praiseworthy and appropriate in the
20	BY MR. YALOWITZ: O And would you understand it to be projector resistance.	20 21	context of a belligerent military occupation.
21 22	Q. And would you understand it to be praise for resistance	21	BY MR. YALOWITZ:
23	to the occupation in the form of violence directed at civilians?	23	Q. And they and when you say "many people," you understand many people in Palestinian society considered
		24	suicide bombing to be praiseworthy and appropriate;
2.4			
24 25	MR. HILL: Same objection. A. No, not necessarily, because the following line says	25	right?

	Page 101		Page 103
1	A. I understand that there were varying levels of popular	1	Does does that refer to a youth soccer tournament
2	support for suicide bombings, and I understand and write	2	named after Wafa Idris?
3	about the fact that there was also a great deal of	3	A. Yes.
4	internal debate and contention about the appropriateness	4	Q. Does that ring any bells as to naming of youth sporting
5	or morality or immorality of suicide bombings.	5	events after suicide terrorists?
6	Q. So so that's kind of not a debate that would be	6	A. I was not at this event that's reported in this
7	familiar to our jury; right?	7	whatever it is. I have no first-hand observation of
8	A. I don't know.	8	a soccer tournament, but I see that it's reported in
9	MR. HILL: Objection, lack of foundation.	9	whatever this document is.
10	BY MR. YALOWITZ:	10	Q. Okay. And does it does it refresh your recollection
11	Q. I mean, like, growing up in Kansas City, did they have	11	that indeed there were sporting events named after
12	debates about whether suicide bombing was okay?	12	Wafa Idris?
13	MR. HILL: Objection. Argumentative.	13	A. As I said, I have no particular recollection of a soccer
14	A. No, there were no debates that I was aware of in Kansas	14	tournament being so named.
15	City about suicide bombings, because Kansas City has not	15	Q. And sitting here today, no bells have been rung by
16	been under a belligerent military occupation in which	16	looking at this?
17	some people feel that their only option for ending	17	A. Yeah, I mean, it it's certainly something that I came
18	a belligerent military occupation is violent resistance.	18	across in my research, that various events or places or
19	BY MR. YALOWITZ:	19	occasions would be named after a martyr, and
20	Q. And how about in New York City? You lived in New York	20	Q. What what do you think is perceived by naming youth
21	City	21	sporting events after a woman who blew herself up on
22	A. For about two years.	22	a crowded street amongst civilians?
23	Q from '03 to '05; is that right?	23	MR. HILL: Objection, lack of foundation.
24	A. Correct.	24	The witness can respond.
25	Q. Did did you ever talk with anybody in New York City	25	A. I think that it is an expression of appreciation for
	Page 102		
1		1	Page 104
1	about suicide bombing?	1	people who are perceived by most Palestinians to have
2	A. Not that I recall.	2	sacrificed themselves in an effort to end the
3	Q. And it wasn't a subject of, like, debate and discourse	3	occupation.
4	whether that was okay; right?	4	BY MR. YALOWITZ:
5	MR. HILL: Objection, lack of foundation.	5	Q. It's a positive portrayal?
6 7	You can respond.	6	MR. HILL: Objection, lack of foundation. A. It is an expression of appreciation and a reflection or
	A. No.	7	
8	BY MR. YALOWITZ:	8	representation of the high values placed on resistance
9	Q. So so and I think I asked you before about soccer	9	to occupation, including violent resistance to
10	tournaments named after suicide terrorists, and you said	11	occupation. BY MR. YALOWITZ:
11 12	you weren't aware of any; is that right?	12	Q. I want to show you one more document, which I think you
13	A. Yes.	13	may not have seen, from a newspaper called Al-Shuhada.
14	Q. Why don't I show you a document and see if that rings	14	I think you said you don't know that
15	any bells. By the way, while we're getting the document, did	15	A. I don't.
16	you read in Marcus's report that he had collected press	16	Q publication; right?
17	reports about soccer tournaments and other sporting	17	Let's look at it and see what we have, and see if it
18	events named after suicide terrorists?	18	is enlightening.
19	A. If it was in the report, I read it.	19	(Exhibit 8 marked for identification.)
20	Q. All right. We have a blowup of a document which I'll	20	MR. YALOWITZ: All right. This will be Allen 8.
21	represent to you was attached as an exhibit to Marcus's	21	Q. Do you have Allen 8 before you?
22	report.	22	A. Yes.
23	(Exhibit 7 marked for identification.)	23	Q. Have you ever seen it before?
24	BY MR. YALOWITZ:	24	A. Not that I recall, no.
25	Q. Mr. Marcus attached this as exhibit 43A to his report.	25	Q. Do you know what it is?
	2. 111. Trimeds attached this as exhibit 43A to his report.		2. Do you mion what it is.

	Page 105		Page 107
1	A. No, I don't.	1	A. This one?
2	Q. So bear with me.	2	Q. Yes.
3	Could you just read the on the on the first	3	A. Yes.
4	page, there's a there's a big large print, which	4	Q. Those are military people, aren't they?
5	looks like it probably says "Al-Shuhada"?	5	MR. HILL: Objection, lack of foundation.
6	A. Al-Shuhada, yes.	6	A. Who are military people?
7	Q. And then beneath it, there's sort of a little	7	BY MR. YALOWITZ:
8	explanatory material. Can you just tell us what that	8	Q. The individuals listed on the masthead.
9	says?	9	MR. HILL: Same objection.
10	A. It says that it is a monthly publication produced or	10	A. I know that (Arabic spoken) is a military rank, and it
11	issued by the political I'm not I'm not sure what	11	mentions (Arabic spoken) at the end, and it mentions
12	(Arab spoken) means in this context, but the political	12	First Lieutenant Muhlasen Erwah, and so on. So the
13	organization the forces of the border areas.	13	people listed here are listed as people with military
14	Q. I'm sorry, did you finish?	14	ranks.
15	A. Yeah, I did.	15	And then there's a I think a photographer.
16	Q. The word you said, (Arab spoken), do you think it might	16	Q. And is there a table of contents on that page that we're
17	mean "instructors" in this context?	17	looking at?
18	MR. HILL: Objection, lack of foundation.	18	A. Yes, I see that.
19	A. I I simply don't know, and I'm not familiar with this	19	Q. And can you tell me what the lead article is?
20	publication, so	20	A. It says the opening article it's listed in the table
21	BY MR. YALOWITZ:	21	of contents as "Opening Article."
22	Q. I'm sorry, so say again: Does it say who it's directed	22	Q. Does it say
23	to?	23	A. On page 1.
24	MR. HILL: Objection, asked and answered.	24	Q. Is there a I'm not sure I'm seeing it is there an
25	A. Not that I see in this phrasing. I I read.	25	article that's entitled "The Jewish Peril"?
	Page 106		Page 108
1	MR. MARCUS: (Arabic spoken).	1	A. Not listed in this table of contents, no.
2	A. But it says "directed to"; it says (Arabic spoken)	2	Q. Maybe kind of up in the box in the upper left?
3	oh, sorry. I thought that meant that it was issued by	3	A. Oh, sorry, I wasn't looking up there.
4	the forces of the border areas. I guess it could mean	4	If that says (Arabic spoken), that could mean "The
5	"political direction to."	5	Jewish Danger."
6	BY MR. YALOWITZ:	6	Q. And then the subtitle of that article: Can you tell
7	Q. "By," or "to"?	7	what that is?
8	A. I'm not sure.	8	A. (Arabic spoken) I'm sorry, I can't read that text;
9	Q. Could be either; right?	9	it's too small, and it's a calligraphy I can't
10	A. If I were to see this in the context of my research,	10	determine.
11	I would ask a research assistant for assistance in	11	Q. Does does it appear to be "The Protocols of the
12		12	-
12 13	interpreting it.	12 13	Elders of Zion"?
13	interpreting it. Q. All right. Fair enough.	13	Elders of Zion"? MR. HILL: Objection, lack of foundation.
13 14	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw	13 14	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that.
13	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or	13	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ:
13 14 15	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right?	13 14 15	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is?
13 14 15 16 17	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells.	13 14 15 16 17	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I
13 14 15 16 17	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be	13 14 15 16 17 18	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation.
13 14 15 16 17 18	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be something internal to the Palestinian security forces?	13 14 15 16 17 18	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation. A. I know what it refers to.
13 14 15 16 17 18 19 20	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be something internal to the Palestinian security forces? MR. HILL: Objection, lack of foundation.	13 14 15 16 17 18 19 20	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation. A. I know what it refers to. BY MR. YALOWITZ:
13 14 15 16 17 18 19 20 21	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be something internal to the Palestinian security forces? MR. HILL: Objection, lack of foundation. A. I I do not know. I have no idea.	13 14 15 16 17 18	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation. A. I know what it refers to. BY MR. YALOWITZ: Q. What is it?
13 14 15 16 17 18 19 20	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be something internal to the Palestinian security forces? MR. HILL: Objection, lack of foundation. A. I I do not know. I have no idea. BY MR. YALOWITZ:	13 14 15 16 17 18 19 20 21	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation. A. I know what it refers to. BY MR. YALOWITZ: Q. What is it? A. As far as I know it's not a text that I've read, but
13 14 15 16 17 18 19 20 21 22	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be something internal to the Palestinian security forces? MR. HILL: Objection, lack of foundation. A. I I do not know. I have no idea. BY MR. YALOWITZ: Q. All right. Let's look at the let's look at the	13 14 15 16 17 18 19 20 21 22	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation. A. I know what it refers to. BY MR. YALOWITZ: Q. What is it? A. As far as I know it's not a text that I've read, but as far as I know, it is basically an antisemitic text.
13 14 15 16 17 18 19 20 21 22 23	interpreting it. Q. All right. Fair enough. This is not a document that you you never saw this publication when you were living in Ramallah or Bethlehem; right? A. It does not ring any bells. Q. All right. And does does it appear to you to be something internal to the Palestinian security forces? MR. HILL: Objection, lack of foundation. A. I I do not know. I have no idea. BY MR. YALOWITZ:	13 14 15 16 17 18 19 20 21 22 23	Elders of Zion"? MR. HILL: Objection, lack of foundation. A. It could be that. BY MR. YALOWITZ: Q. Do you know what that is? A. I MR. HILL: Objection, lack of foundation. A. I know what it refers to. BY MR. YALOWITZ: Q. What is it? A. As far as I know it's not a text that I've read, but

	Page 109		Page 111
1 .	military people would have an antisemitic text?	1	Q. Do you do you have I think do you have any
2	MR. HILL: Objection, lack of foundation, misstates the	2	any understanding at all of why they were putting out
3	witness's testimony.	3	this publication?
4	A. I don't know if this publication was produced by PA	4	MR. HILL: Objection, lack of foundation.
5	military people. I don't know how or whether the	5	A. I do not.
6	publication was read or produced. I can't say why, if	6	BY MR. YALOWITZ:
7	these were the people that did produce it, included some	7	Q. And this publication was not something you considered
8	version of this antisemitic text.	8	when you reached your conclusions and rendered your
9	BY MR. YALOWITZ:	9	report; right?
10	Q. Did just turning back to the front page for a moment,	10	A. This is not something that I ever came across, nor is
11	is it a fair translation to call this a monthly bulletin	11	it yeah, it's nothing I came across, so no.
12	published by Political Guidance for the Border Region	12	Q. And "no" meaning you didn't consider it when you reached
13	Forces?	13	your conclusions and rendered your report; right?
14	A. That sounds reasonable.	14	A. Oh, your report for you.
15	Q. And turning back to the masthead, is it fair to say that	15	Q. Yeah.
	the editor in chief is Ahmad Ibrahim Hilles?	16	A. I don't know. I didn't review this.
16			
17	A. It's stated that way, yes.	17	Q. And by the way, just looking back at the table of
18	Q. He's listed as the political commissioner for the border	18	contents, am I right that this do you have the table
19	region forces; is that right?	19	of contents before you?
20	A. It says (Arabic spoken). (Arabic spoken) can also mean	20	A. Yes.
21	"negotiator."	21	Q. Do you see where they're referencing the Jewish peril?
22	Q. So that would be one where you'd want some context from	22	A. Yes.
23	someone?	23	Q. And then at the very bottom, in quite small print, it
24	A. I would have, yes.	24	says something is do I have it right that that says
25	Q. And then it lists somebody as doing production and	25	"Continued from what was published in the previous
	Page 110		Page 112
1	coordination; is that right?	1	volume"?
2	A. Yes.	2	A. Yes.
3	Q. And just say who that is.	3	Q. All right.
4	A. It's listed as nakib rah ad ek det.	4	A. Can I also just state that there are two tables of
5	Q. And do you know what a nakib is?	5	contents on this page that are in different formats, and
6	A. I believe that a nakib is the rankings of military in	6	it is not clear to me why one table of contents lists
7	even in English, I'm not always so sure about. So	7	articles on pages 1, 5, 11, 12, 14 and 35, and then a
8	"nakib," I believe, would be "major," or the one	8	separate table of contents lists something from
9	"captain"; I think maybe "captain."	9	pages 12, 17, and I believe 25. It could be that these
10	Q. Can you tell me who the editorial board is, from the	10	are I mean, it's unclear to me.
11	masthead?	11	Q. So so do you read popular magazines?
12	A. It says Mohammed Jarahada.	12	A. In where?
13	Q. And what's his rank?	13	Q. In life.
14	A. So he's (Arabic spoken), which I believe is I believe	14	A. At the hairdressers'.
15	that's (Arabic spoken) is "lieutenant," so (Arabic	15	Q. So have you ever read the table of contents of
16	spoken) it's another military rank.	16	like I don't know what you might read; The Economist,
17	I can make some guesses if you want, but I know it's	17	or something like that?
18	a military rank.	18	A. Probably, yes.
19	Q. It's not necessary. It's not your field; fair to say?	19	Q. And and you know how sometimes they have, like, their
20		20	
	A. Yes, it is fair to say.	21	regular articles listed in one table in the table of
21	Q. Do you understand the editorial board and the editor in		contents, and then they put up higher sort of special
22	chief to be members of PA security forces?	22	articles that might be of interest to the reader?
23	MR. HILL: Objection, lack of foundation.	23	A. Perhaps.
24	A. I don't know who these people are.	24	Q. That might be what's going on here; right?
25	BY MR. YALOWITZ:	25	MR. HILL: Objection, lack of foundation.

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1 .	A. I have no idea.	1	Q. Sure. The jury in our case is going to be asked to
2	BY MR. YALOWITZ:	2	decide whether the PA caused injury to the plaintiffs;
3	Q. Could be; right?	3	right?
4	A. Lots of things	4	A. I don't know what the jury, if such a jury comes to be,
5	MR. HILL: Same objection.	5	will be asked. If you say that's what's going to
6	A could be. Sure. Could be.	6	happen, we can move on from that.
7	Q. Sure.	7	Q. All right. So so when you wrote in your report
8	MR. YALOWITZ: Okay. I'm ready to pause for lunch, if you	8	there's no evidence that the PA caused suicide bombings,
9	are.	9	are you expressing an opinion about the actual terrorist
10	(Lunch break taken.)	10	attacks that bring us together today?
11	BY MR. YALOWITZ:	11	A. I'm expressing an opinion about the phenomenon of
12	Q. All right. Dr. Allen, are you expressing an opinion	12	suicide bombings, and more generally, this report is
13	that the Palestinian Authority and the PLO had no role	13	about my understanding of how Palestinians viewed
14	in perpetrating the terrorist attacks that are at the	14	a variety of forms of resistance to occupation,
15	core of our case?	15	including violent resistance.
16	A. That is not my contention in this report.	16	Q. Is it your contention that the Palestinian Authority had
17	Q. So you wrote in your report on page 33:	17	no role in the seven attacks that bring us together
18	"There is no evidence that the PA caused suicide	18	today?
19	bombings."	19	A. I don't know what, if any, role members or parts of the
20	What did you mean by that?	20	Palestinian Authority had in any specific event.
21	A. I said the Palestinian Authority was not responsible for	21	Q. So do I have it right that you are expressing no opinion
22	the suicide bombings.	22	about the particular attacks in our case?
23	Q. I'm sorry, let me just look make sure I have the	23	MR. HILL: Objection, misstates her testimony.
24	exact wording.	24	A. This report is about the context of the Second Intifada,
25	So do you see under under "D." the	25	and does not purport to be an explanation of specific
	Page 114		Page 116
1	A. Yes.	1	events.
2	Q second sentence:	2	BY MR. YALOWITZ:
3	"There is no evidence that the PA caused suicide	3	Q. So did you have you published opinions about what
4	bombings"?	4	caused suicide bombings in the Al-Aqsa Intifada?
5	Do you see that?	5	A. I have published analyses of how Palestinians viewed
6	A. Yes.	6	resistance to occupation, including issues around people
7	Q. What did you mean when you wrote that?	7	who died in the process of resisting occupation, and
8	A. I meant that there I meant that there is no single	8	I published analysis of the range of kinds of opinions
9	monocausal reason that can be identified for a single	9	and explanations that people at the local level produced
10	cause of suicide bombings. And the purpose of this	10	to explain those kinds of events or actions.
11	explanation was to point to my assessment that there	11	Q. So do any of your publications deal with what role the
12	were a range of collective and possibly individual	12	Palestinian Authority had in attacks on civilians during
13	motives and reasons that people would engage in this	13	the Al-Aqsa Intifada?
14	kind of activity.	14	A. My publications were not analyses of Palestinian
15	Q. Well, you understand that one of the questions that the	15	Authority activities or no.
16	jury's going to be asked to decide in our case is	16	Q. And and similarly, your publications never analyzed
17	whether the PA caused the suicide bombings at issue in	17	the role of the PLO in attacks on civilians during the
18	our case; right?	18	Al-Aqsa Intifada; right?
19	MR. HILL: Objection, lack of foundation.	19	A. My research has not been on the PLO, no.
20	You can respond.	20	Q. Now, did you I think you read the expert reports of
21	BY MR. YALOWITZ:	21	Shrenzel and Eviatar?
22	Q. Do you understand that?	22	A. Correct.
22	MR. HILL: Same objection.	23	Q. Did you read any of the documents attached to those
23	· · · · · · · · · · · · · · · · · · ·		
24	A. Say that again?	24	reports?

Do you recall that Shrenzel expressed general opinions about the role of Arafat and the relationship among the PA and the PLO and Al-Aqsa, for example? A. Could I see a copy of it? A. Could I see a copy of it? C. I'm not sure; bear with me one second. Did you while we're waiting, can I ask you about the report of Nick Kaufman: Did you read that report? A. No. Did you while we're waiting, can I ask you about the report of Nick Kaufman: Did you read that report? A. No. Q. And did you read any of the documents cited in that report of Nick Kaufman: Did you read that report? A. I don't know. Q. And did you read any of the documents cited in that report? A. I don't know. Q. They were convictions of people who Q. They were convictions of people who A. No. Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. A. Yes, I'm sure I have. Q. All right. And have you - have you looked at the website of the Palestinian police force? A. I don't recall. A. I don't think I've ask out on - have you looked at the website of the Palestinian police force? A. I don't recall. A. I don't recall and I take it you didn't read any of the documents cited in rof the Palestinian police force? A. I don't we were waiting, for example? A. I don't believe so. A. I don't report salt and the protein and page that anything in that sectic the report supports the conclusion that the PA caused with the PA caused suicide bombings? A. I don't report that there is no evidence the PA caused suicide bombings? MR. HILL: Same objection, argumentative. A. I did not co		Page 117		Page 11:
2 my report. 3 Q. Did - did you notice that the reports had some general comments, and then they had sections that dealt with the specific attacks in our case? 6 A. I don't recall the specific structure of these reports. 7 Q. So did you focus - do you recall that - well, let me ask you a different question. Let's - let's start with the report of Shrenzel. 9 Do you recall that Shrenzel expressed general opinions about the role of Arafat and the relationship among the PA and the PLO and Al-Aqsa, for example? 11 approximate a point of the report of Shrenzel. 12 among the PA and the PLO and Al-Aqsa, for example? 13 A. Could I see a copy of it? 14 Q. I'm not sure; bear with me one second. 15 We - we have one copy; we'll mark it for you. 16 Did you - while we're waiting, can I ask you about the report of Nick Kaufman: Did you read that report? 18 A. No. 19 Q. And did you read any of the documents cited in that report of Nick Kaufman: Did you read that report? 20 A. Restate the question? 21 A. I don't know. 22 Q. They were convictions of people who 23 A. No. 24 Q either pled guilty or were convicted after trial of committing acts of violence against civilians? 25 Page 118 2 A. No, I didn't. 2 Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghout; right? 3 A. No. 4 A. No. 5 Q. All right. Have you looked at the website of the Palestinian Authority? 4 A. Yes. I'm sure I have. 5 Q. All right. All thory report the force? 4 A. I don't recall. 9 Q. All right. 4 A. I don't recall. 1 A. Yes. I'm sure in the section then goes on for the remainder report; right? 2 A. Asso. 3 C. All right. 4 I suse in This Case." 4 A. Yes. 4 A. Yes. 4 A. Yes. 4 A. Yes. 5 Q. Okay. So did you did you read that section of report report, report and report; report and remainder report; report and remainder report;	1	I read all, or which ones. I believe they're listed in	1	A. Mm-hmm.
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18 A. No. 19 Q. And did you read any of the documents cited in that 20 report? 21 A. I don't know. 22 Q. They were convictions of people who 23 A. No. 24 Q either pled guilty or were convicted after trial of 25 committing acts of violence against civilians? Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never right? A. No. 2 A. No. 3 Ferse de the verdict following the trial of Marwan Baghouti; right? 4 Felsetinian Authority? 5 A. No. 6 Q. All right. Have you looked at the website of the Palestinian Authority? 8 A. Yes, I'm sure I have. 9 Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? 10 A. I don't recall. 11 A. I don't recall. 12 Q. All right. And I take it you didn't read any of the Palestinian police force? 10 A. I dight. And I take it you didn't read any of the Palestinian and the position in that proper with the statement. 11 A. I don't recall. 12 Q. All right. And I take it you didn't read any of the palestinian police force? 20 Sure. Do you believe that anything in that sectic the payments that the question? 21 BY MR. YALOWITZ: 22 Q. Sure. Do you believe that anything in that sectic the report supports the conclusion that the PA cau suicide bombings? 24 Surice Do you believe that anything in that sectic the report supports the conclusion that the PA cau suicide bombings? 4 A. I have no basis for believing or not well, for believing this report and its contentions. 4 A. I have no basis for believing or not well, for believing this report and its contentions. 4 BY MR. YALOWITZ: 4 Q. So so is that report consistent with your opin expressed in your report that there is no evidence the PA caused suicide bombings? 4 Q. So so is that report consistent with your opin expressed in your report that there is no evidence the PA caused suicide bombings? 5 MR. HILL: Objection, argumentative. 6 A. Yes, I'm sure I have. 9 Q. Uh-huh. And have you have you looked at the website of the PA caused suicide bombings? 10 Consis	16	Did you while we're waiting, can I ask you about	16	that report contains evidence that the PA caused suicide
19 Q. And did you read any of the documents cited in that report? 20 report? 21 A. I don't know. 22 Q. They were convictions of people who 23 A. No. 24 Q either pled guilty or were convicted after trial of committing acts of violence against civilians? 25 m/L A. I didn't. 26 Page 118 Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. BY MR. YALOWITZ: A. I have no basis for believing or not well, for believing this report and its contentions. BY MR. YALOWITZ: A. No. BY MR. YALOWITZ: A. No. A. No. BY MR. YALOWITZ: A. No. A. No. A. No. A. No. BY MR. YALOWITZ: A. I did not consider this report as being a credible reliable or a source of evidence. So yes, it's consistent with the statement. A. I don't recall. A. I don't recall. A. I don't read any of the documents cited in that the page and any of the	17	the report of Nick Kaufman: Did you read that report?	17	bombings?
20 report? 21 A. I don't know. 22 Q. They were convictions of people who 23 A. No. 24 Q either pled guilty or were convicted after trial of 25 committing acts of violence against civilians? Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. Q. All right. Have you looked at the website of the Q. All right. Have you looked at the website of the Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? Q. All right. And I take it you didn't read any of the Palestinian police force? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian police force? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Palest	18	A. No.	18	MR. HILL: Objection. Lack of foundation, improper
A. I don't know. 21 BY MR. YALOWITZ: Q. They were convictions of people who 23 A. No. 24 Q either pled guilty or were convicted after trial of 25 committing acts of violence against civilians? Page 118 Page 118 Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. Q. All right. Have you looked at the website of the Q. All right. Have you looked at the website of the Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? 10 All right. And I take it you didn't read any of the Palestinian police force? 12 Q. All right. And I take it you didn't read any of the Palestinian Authoritz: Q. All right. And I take it you didn't read any of the Palestinian Authoritz: Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority? Q. All right. And I take it you didn't read any of the Palestinian Authority?	19	Q. And did you read any of the documents cited in that	19	witness expert witness testimony. She can respond.
Q. They were convictions of people who 22 Q. Sure. Do you believe that anything in that sectic A. No. 24 Q either pled guilty or were convicted after trial of 25 committing acts of violence against civilians? Page 118 Pag 1 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. Q. All right. Have you looked at the website of the Palestinian Authority? A. Yes, I'm sure I have. Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? 10 A. I don't recall. 11 BY MR. YALOWITZ: Q. All right. And I take it you didn't read any of the palestinity of th	20	report?	20	A. Restate the question?
A. No. 24 Q either pled guilty or were convicted after trial of 25 committing acts of violence against civilians? 26 Page 118 Page 118 Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never 3 read the verdict following the trial of Marwan Baghouti; 4 right? A. No. Q. All right. Have you looked at the website of the Q. All right. Have you looked at the website of the Palestinian Authority? A. Yes, I'm sure I have. Q. All right. A. I don't recall. A. I don't recal any of the Palestinian police force? A. No. Q. All right. A. I don't recal any of the Palestinian police force? A. No. It is the report supports the conclusion that the PA caused suicide bombings? A. No. A. I have no basis for believing or not well, for believing this report and its contentions. BY MR. YALOWITZ: A. I have no basis for believing or not well, for believing this report and its contentions. BY MR. YALOWITZ: A. I did not consider this report consistent with your opin expressed in your report that there is no evidence the PA caused suicide bombings? MR. HILL: Objection, argumentative. A. I did not consider this report as being a credibly reliable or a source of evidence. So yes, it's consistent with the statement. BY MR. YALOWITZ: Q. All right. And I take it you didn't read any of the palestinian police force?	21	A. I don't know.	21	BY MR. YALOWITZ:
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25 committing acts of violence against civilians? Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. Q. All right. Have you looked at the website of the Palestinian Authority? A. Yes, I'm sure I have. Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? A. I don't recall. A. I have no basis for believing or not well, for believing this report and its contentions. BY MR. YALOWITZ: Q. So so is that report consistent with your opin expressed in your report that there is no evidence the PA caused suicide bombings? MR. HILL: Objection, argumentative. A. I did not consider this report as being a credible reliable or a source of evidence. So yes, it's consistent with the statement. BY MR. YALOWITZ: Q. All right. And I take it you didn't read any of the palestinian police force? Q. All right. And I take it you didn't read any of the palestinian police force? Q. All right. And I take it you didn't read any of the palestinian police force? Q. All right. And I take it you didn't read any of the palestinian police force? Q. All right. And I take it you didn't read any of the palestinian police force?	23	A. No.	23	the report supports the conclusion that the PA caused
Page 118 A. No, I didn't. Q. And I think I've asked you this before, but you've never read the verdict following the trial of Marwan Baghouti; right? A. No. Q. All right. Have you looked at the website of the Palestinian Authority? A. Yes, I'm sure I have. Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? A. I don't recall. Q. All right. And I take it you didn't read any of the Palestinian. Page 118 A. I have no basis for believing or not well, for believing this report and its contentions. BY MR. YALOWITZ: Q. So so is that report consistent with your opin expressed in your report that there is no evidence the PA caused suicide bombings? MR. HILL: Objection, argumentative. A. I did not consider this report as being a credible reliable or a source of evidence. So yes, it's consistent with the statement. BY MR. YALOWITZ: Q. All right. And I take it you didn't read any of the palestinian police force?	24		24	_
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5 A. No. 6 Q. All right. Have you looked at the website of the 7 Palestinian Authority? 8 A. Yes, I'm sure I have. 9 Q. Uh-huh. And have you have you looked at the website 10 of the Palestinian police force? 11 A. I don't recall. 12 Q. All right. 15 expressed in your report that there is no evidence the PA caused suicide bombings? 7 MR. HILL: Objection, argumentative. 8 A. I did not consider this report as being a credible reliable or a source of evidence. So yes, it's consistent with the statement. 11 BY MR. YALOWITZ: 12 Q. All right. And I take it you didn't read any of the Palestinian police force?	3		3	
Q. All right. Have you looked at the website of the Palestinian Authority? Ray Palestinian Authority?	4	right?		Q. So so is that report consistent with your opinion
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A. Yes, I'm sure I have. Q. Uh-huh. And have you have you looked at the website of the Palestinian police force? A. I did not consider this report as being a credible reliable or a source of evidence. So yes, it's consistent with the statement. BY MR. YALOWITZ: Q. All right. Q. All right. And I take it you didn't read any of the palestinian police force? Q. All right.				E
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11A. I don't recall.11BY MR. YALOWITZ:12Q. All right.12Q. All right. And I take it you didn't read any of t		· · ·		
12 Q. All right. And I take it you didn't read any of t		_		
I 3 MR YALOWITZ: Do we have the Shrenzel report? 3				
, ,		•		documents referenced in section C; right?
Q. All right. So we're going to mark a copy of the report 14 MR. HILL: Objection, asked and answered.				· ·
15 of Israel Shrenzel. I only have one, but I know that 15 A. I don't believe so, no.		-		
16 your counsel has seen it before. 16 BY MR. YALOWITZ: 17 MR. YALOWITZ: We'll mork it as Allen 8 0		•		
				Q. And you didn't read any of the criminal convictions
18 (Exhibit 9 marked for identification.) 18 referenced in exhibit C; right? 19 BY MR. YALOWITZ: 19 A. No, I didn't.				_
				Q. All right. And I think I may have asked you, but let n
				just make sure: Have you ever heard of an individual
21 Just make sure: Have you ever heard of an indiv 22 Q. So could you turn with me to page 18. 22 named Abd-el Karim Aweis?				· ·
				A. I see that he's mentioned in this report, so I've heard
24 particular some of the particular attacks at issue in 24 of him.				
25 our case? 25 Q. Mm-hmm. Do you know who he is?				

	Page 121		Page 123
1 .	MR. HILL: Objection, lack of foundation.	1	A. I don't know. I don't know that word.
2	A. No, not really.	2	Q. Do you do you see an entry dated June I'm sorry
3	BY MR. YALOWITZ:	3	yeah, June 1, 2011?
4	Q. You've not read the record of his criminal conviction;	4	A. Mm-hmm. Yes.
5	right?	5	Q. And can you can you see what what rank Mr. Aweis
6	MR. HILL: Objection, asked and answered.	6	has, according to that table?
7	A. No, I've not.	7	MR. HILL: Objection, lack of foundation.
8	BY MR. YALOWITZ:	8	A. What I read here is the words (Arabic spoken), and then
9	Q. And do you know whether he's on the PA payroll today?	9	a date, and then (Arabic spoken), and then what
10	MR. HILL: Objection, lack of foundation.	10	I presume is a date, and then the word (Arabic spoken),
11	A. I do not know.	11	and then a number, and then what I presume is a date,
12	BY MR. YALOWITZ:	12	and then what I think says, in very small print, (Arabic
13	Q. Do you know what his rank is in the PA police force?	13	spoken).
14	MR. HILL: Objection, lack of foundation.	14	BY MR. YALOWITZ:
15	A. No, I don't.	15	Q. And do you know what any of those Arabic words mean?
16	BY MR. YALOWITZ:	16	A. Yes.
17	Q. So why don't we see if we can learn together. We'll	17	Q. Could you tell me?
18	look at a document that we'll mark as Allen 10.	18	A. I know that (Arabic spoken) means "from." (Arabic
19	(Exhibit 10 marked for identification.)	19	spoken) means "to." In this context, I don't know what
20	BY MR. YALOWITZ:	20	(Arabic spoken) means; it could mean "by order." And
21	Q. Do you have that document?	21	I don't know what, in this context, (Arabic spoken)
22	A. Yes.	22	means. Those words could mean "military" it could
23	Q. You've never seen this document before; right?	23	mean "military course."
24	A. Correct.	24	Q. What is the phrase right beneath the table? Does
25	Q. Do you know what it is?	25	that does that say "Recommend Registration of
	Page 122		Page 124
1	MR. HILL: Objection, lack of foundation.	1	Promotions," or something like that?
2	A. No.	2	A. I don't know that word. Those two words: I don't know
3	BY MR. YALOWITZ:	3	those words.
4	Q. Do you know who it relates to?	4	Q. All right. I just want to direct your attention to one
5	A. I see that the name listed is Abd-el Karim Rativ Urnis	5	thing, but I need to figure out where it is.
6	Aweis.	6	Do you see a reference at the bottom of the page to
7	Q. That's the same guy we're talking about; right?	7	a number, 5667/15?
8	A. I believe so, yes.	8	A. Yes.
9	Q. And do you see can you tell what's going on in the	9	Q. Are you are you able to tell me what that sentence
10	in the table? Do you see what the table is entitled?	10	says in English?
11	MR. HILL: Objection, lack of foundation, compound question.	11	A. It doesn't look like a sentence to me. (Arabic spoken),
12	A. The the table (Arabic spoken), this table?	12	as I said, could mean "by the order"; and then there are
13	BY MR. YALOWITZ:	13	those numbers that you just mentioned.
14	Q. Yes.	14	Q. Right?
	A. And you're asking me what's going on in it?	15	A. Then there's something that looks like a date.
15	Q. Right.	16	Q. Right?
15 16			·
	MR. HILL: Same objections.	17	A. June 17th, 2002.
16		18	And then it says: "Because of the incarceration"
16 17 18 19	MR. HILL: Same objections. A. I don't have any context for this document. I don't BY MR. YALOWITZ:	18 19	And then it says: "Because of the incarceration" "Because of his incarceration," from two words
16 17 18 19 20	MR. HILL: Same objections. A. I don't have any context for this document. I don't BY MR. YALOWITZ: Q. Does it say at the what's it headed at the top? Can	18 19 20	And then it says: "Because of the incarceration" "Because of his incarceration," from two words I don't know, and something about his salary.
16 17 18 19 20 21	MR. HILL: Same objections. A. I don't have any context for this document. I don't BY MR. YALOWITZ: Q. Does it say at the what's it headed at the top? Can you see the top of the table? It's got a heading.	18 19 20 21	And then it says: "Because of the incarceration" "Because of his incarceration," from two words I don't know, and something about his salary. Q. It says that "By reason of his incarceration in Israel,
16 17 18 19 20 21 22	MR. HILL: Same objections. A. I don't have any context for this document. I don't BY MR. YALOWITZ: Q. Does it say at the what's it headed at the top? Can you see the top of the table? It's got a heading. A. Typed here, it says "The State of Palestine."	18 19 20 21 22	And then it says: "Because of the incarceration" "Because of his incarceration," from two words I don't know, and something about his salary. Q. It says that "By reason of his incarceration in Israel, his salary shall be paid"; is that fair to say?
16 17 18 19 20 21 22 23	MR. HILL: Same objections. A. I don't have any context for this document. I don't BY MR. YALOWITZ: Q. Does it say at the what's it headed at the top? Can you see the top of the table? It's got a heading. A. Typed here, it says "The State of Palestine." Q. I'm sorry, at the top of the table.	18 19 20 21 22 23	And then it says: "Because of the incarceration" "Because of his incarceration," from two words I don't know, and something about his salary. Q. It says that "By reason of his incarceration in Israel, his salary shall be paid"; is that fair to say? A. (Arabic spoken). It looked like a (Arabic spoken). Oh,
16 17 18 19 20 21 22	MR. HILL: Same objections. A. I don't have any context for this document. I don't BY MR. YALOWITZ: Q. Does it say at the what's it headed at the top? Can you see the top of the table? It's got a heading. A. Typed here, it says "The State of Palestine."	18 19 20 21 22	And then it says: "Because of the incarceration" "Because of his incarceration," from two words I don't know, and something about his salary. Q. It says that "By reason of his incarceration in Israel, his salary shall be paid"; is that fair to say?

	Page 125		Page 127
1	of his incarceration on the other side," or "by the	1	A. Correct.
2	other side," the payment of his salary.	2	Q. Do you do you understand it to be something created
3	There's no verb there, so it's not really	3	by the Palestinian National Authority?
4	a sentence.	4	MR. HILL: Objection, lack of foundation.
5	Q. Do you know how many life sentences Karim Abd-el Aweis	5	A. I see that there is a masthead at the top of this that
6	is serving?	6	states "The Palestinian National Authority."
7	A. No.	7	BY MR. YALOWITZ:
8	Q. Do you know what his relationship is to the attacks in	8	Q. And do you can you read the name on the front to see
9	our case?	9	who it relates to?
10	A. No.	10	A. I see that the word "case" is followed by the Arabic
11	Q. Do you were you aware that that individual members	11	words for "the martyr" "the martyr of the Intifada
12	of the PA security forces convicted of injuring and	12	Al-Aqsa."
13	killing civilians in Israel remain on the payroll of the	13	Q. And does it say
14	Palestinian Authority?	14	A. And then there's a name beneath that, "Wafa Ali Khalil
15	MR. HILL: Objection, lack of foundation.	15	Idris."
16	A. I don't know about the Palestinian Authority's payroll.	16	Q. So that's Wafa Idris; right?
17	BY MR. YALOWITZ:	17	A. It says "Wafa Ali Khalil Idris."
18	Q. And and were you aware, when you reached your	18	Q. Is that the Wafa Idris we've been talking about?
19	conclusions and rendered your report, that individuals	19	MR. HILL: Objection, lack of foundation.
20	who were officers of the Palestinian Authority were	20	A. I have no idea.
21	given promotions while they were in prison by reason of	21	BY MR. YALOWITZ:
22	their crimes?	22	Q. All right. Let's look on page 4 together.
23	MR. HILL: Objection, lack of foundation.	23	I'd like to direct your attention to the
24	A. My report was a response to three other reports that	24	handwritten is it handwritten? It looks handwritten.
25	I read, and my report did not I didn't have any	25	The handwritten portion at the top of the fourth page:
	Page 126		Page 128
1	evidence that payments were higher payments were made	1	Do you see that?
2	for one reason or another by any organization to any of	2	A. Yes.
3	these people. These are not matters that I have any	3	Q. And you see there are three starred sentences at the top
4	evidence of.	4	of that page?
5	BY MR. YALOWITZ:	5	A. Yes.
6	Q. Sitting here today, what do you make of the record that	6	Q. The second and third starred sentences well, I'm
7	we're looking at?	7	going to read I'll tell you what we'll do: I'll read
8	MR. HILL: Objection, vague.	8	a translation of these three sentences, and you tell me
9	BY MR. YALOWITZ:	9	if that sounds right to you. Okay?
10	Q. If anything.	10	A. Okay.
11	A. Sorry, what was the	11	Q. "The martyr is one of the Al-Aqsa Intifada martyrs. The
12	MR. HILL: Objection, vague.	12	martyr is divorced, without children. Her father is
13	A. Because I don't have the context, and I don't have	13	deceased. Her mother is alive. She has three married
14	anyone who actually knows where this came from or what	14	brothers."
15	it's about, I cannot make anything of this in any kind	15	Are you with me so far?
16	with any confidence.	16	A. Yes.
17	BY MR. YALOWITZ:	17	Q. Next sentence:
18	Q. So let me show you one other document and see if you	18	"She was martyred during a heroic martyrdom
19	have any reactions to it.	19	operation against the Zionists in the occupied city of
20	MR. YALOWITZ: We'll mark it as Allen 11.	20	Jerusalem."
21	(Exhibit 11 marked for identification.)	21	Third sentence:
22	BY MR. YALOWITZ:	22	"Therefore we recommend that she be considered one
23	Q. Do you have Allen 11 before you, Dr. Allen?	23	of the Al-Aqsa Intifada martyrs according to the
24	A. Yes.	24	regulations."
25	Q. This is not a document that you have seen before; right?	25	Dated February 14th, 2002.

	Page 129		Page 131
1	Do I have that right?	1	A. Yes.
2	A. Yes.	2	Q. You've do you remember the last time you looked at
3	Q. Does that give you a sense of which Wafa Idris this file	3	it?
4	relates to?	4	A. No.
5	MR. HILL: Object, lack of foundation.	5	Q. Could we look together at page 22, which deals with the
6	A. The file relates this says this relates to somebody	6	phenomenon of the Al-Aqsa brigades.
7	who carried out a martyrdom operation.	7	Do you see that?
8	BY MR. YALOWITZ:	8	A. Yes.
9	Q. Are you aware that the Palestinian Authority pays	9	Q. Do you think that this report, by the way, by ICG would
10	Wafa Idris's family money as a result of her suicide	10	be a useful document if one were trying to understand
11	bombing?	11	the phenomenon of the Al-Aqsa Martyr Brigades?
12	MR. HILL: Objection, lack of foundation.	12	A. A useful document, yes.
13	A. I do not have specific information about that.	13	Q. And is it a document on which it would be reasonable for
14	BY MR. YALOWITZ:	14	people in your field to rely on?
15	Q. Do you believe it?	15	Too many "ons" in that sentence.
16	MR. HILL: Objection, lack of foundation.	16	A. It is a document that people in my field might consult,
17	A. I I don't know. I don't know if they are paying her	17	yes.
18	money. I don't have any information on that, her	18	Q. All right. If you look with me at the last paragraph on
19	family's money. I don't know.	19	the first column of page 22, ICG is describing the final
20	BY MR. YALOWITZ:	20	months of 2000; do you see that?
21	Q. I think you and I spoke earlier about the Human Rights	21	A. Yes.
22	Watch report about the Al-Aqsa Intifada. Do you recall	22	Q. They're saying that:
23	that?	23	"During the final months of 2000, armed attacks
24	A. Mm-hmm.	24	against Israeli solders and Jewish settlers in the
25		25	occupied territories became increasingly frequent. With
Z5	Q. And is that a document that you considered when you		
	Page 130		Page 132
1	reached your conclusions and rendered your report?	1	Hamas still largely quiet, most were claimed by the
2	A. I don't recall if I read it in the period of writing	2	Al-Aqsa Martyrs' Brigades, a new militia affiliated with
3	this report.	3	the Fatah movement."
4	Q. Did did you see a report from September 2004 by the	4	Do you see that?
5	ICG relating to the Al-Aqsa Martyr Brigades?	5	A. Yes.
6	A. Probably, yes.	6	Q. Do you have any basis to disagree with that reporting of
7	Q. Did you consider that report?	7	the facts?
8	A. If it's in my footnotes, I did. I know that I have	8	MR. HILL: Objection, lack of foundation.
9	looked at that report at some point; I don't know if	9	A. I see that this document cites another document in
10	I considered it in conjunction with writing this report.	10	French, which I don't know and haven't read; I don't
11	Q. There is a different report I'll represent to you, at	11	know French. So on that basis, I couldn't I couldn't
12	least, I didn't see it in your footnotes.	12	state if the conclusions it's reaching, the ICG report
13	A. Okay.	13	is reaching, are consistent with what it's citing.
14	Q. I can't promise that it's not there, but I didn't see	14	BY MR. YALOWITZ:
15	it; I saw a different one from a different period. But	15	Q. Well, you were living in the Ramallah area in the final
16	I want to ask you some questions about the one from	16	months of 2000; right?
17	2004, so we'll put it before you, and you can look at	17	A. Yes.
18	it.	18	Q. Were you aware that armed attacks against Israeli
19	A. Okay.	19	soldiers and Jewish settlers in the Occupied Territories
20	(Discussion off the record.)	20	became increasingly familiar?
21	(Exhibit 12 marked for identification.)	21	MR. HILL: Objection, lack of foundation.
22	BY MR. YALOWITZ:	22	A. I followed the news that reported on that reported on
23	Q. Do you have exhibit 12 before you?	23	attacks against Israeli solders and settlers, but I was
24	A. Yes.	24	not keeping a track of frequency.
25	Q. Is it a document you're familiar with?	25	BY MR. YALOWITZ:

	Page 133		Page 135
1	Q. Did you keep track of whether Hamas was still largely	1	in which they were living.
2	quiet?	2	BY MR. YALOWITZ:
3	MR. HILL: Objection, lack of foundation.	3	Q. Is it fair to say your work just didn't touch on the
4	A. That was not a focus of my research.	4	topics referenced in that sentence that I just read?
5	BY MR. YALOWITZ:	5	A. It's fair no. I mean, it's what I'm saying is
6	Q. And did you keep track of who was claiming	6	that
7	responsibility for these armed attacks?	7	Q. Let me ask you a different question, then, because
8	A. If responsibility was claimed and reported in news	8	you've said "no"; that's fair.
9	media, I would have noted it; but it was not a focus of	9	Is it is it fair to say that other than the
10	my research and was not something that I recorded or	10	perception of violence, your work was not directed
11	focused on.	11	toward the perpetrators of violence, or who was
12	Q. Look with me on the next sentence after the one we've	12	perpetrating the violence, or whether they were under
13	been looking at. ICG reports:	13	the control of their supervisors?
14	"It was an unmistakable signal that the uprising was	14	A. Correct.
15	entering a militarised phase with the tacit support of	15	MR. HILL: Objection, compound question.
16	a Palestinian leadership unable or unwilling to prevent	16	A. Correct.
17	it (or both)."	17	BY MR. YALOWITZ:
18	Do you see that?	18	Q. Thank you.
19	A. Yes.	19	Okay. Let me ask you about one other observation in
20	Q. Do you have any opinions on whether that is an accurate	20	the ICG report, which is on page 23. And this is the
21	statement of the facts?	21	in the second column, the first I guess the second
22	MR. HILL: Objection, lack of foundation, and the sentence	22	paragraph, that begins: "A key issue"
23	itself is compound. But the witness can respond.	23	Do you see that?
24	A. I have no basis for assessing this claim of ICG.	24	A. Yes.
25	BY MR. YALOWITZ:	25	Q. Okay. I'm just going to read to you a couple of
	Page 134		Page 136
1	Q. If you look with me at the next paragraph, ICG is	-1	
		1	sentences from that paragraph, and then I'm going to ask
2	· · · · · · · · · · · · · · · · · · ·	2	
2 3	reporting the following:		you some questions about it.
	reporting the following: "Numerous instances in which uniformed Palestinian	2	you some questions about it. "From their formation in late 2000 until early 2002,
3	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire	2	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced
3 4	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and	2 3 4	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe
3 4 5	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces	2 3 4 5	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced
3 4 5 6	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the	2 3 4 5 6	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at
3 4 5 6 7	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the	2 3 4 5 6 7	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed
3 4 5 6 7 8	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof,	2 3 4 5 6 7 8	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force
3 4 5 6 7 8	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the	2 3 4 5 6 7 8	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed
3 4 5 6 7 8 9	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership exerted a measure of influence."	2 3 4 5 6 7 8 9	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They
3 4 5 6 7 8 9 10	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership	2 3 4 5 6 7 8 9 10	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed the streets at will, weapons in hand; were constantly
3 4 5 6 7 8 9 10 11	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership exerted a measure of influence." You see that sentence; right?	2 3 4 5 6 7 8 9 10 11	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed the streets at will, weapons in hand; were constantly available to the media; and made few efforts to conceal
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3 4 5 6 7 8 9 10 11 12 13 14	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership exerted a measure of influence." You see that sentence; right? A. Yes. Q. And is there any part of that sentence on which your work gave you a basis to opine as to the accuracy of	2 3 4 5 6 7 8 9 10 11 12 13 14	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed the streets at will, weapons in hand; were constantly available to the media; and made few efforts to conceal their identities."
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3 4 5 6 7 8 9 10 11 12 13 14 15 16	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership exerted a measure of influence." You see that sentence; right? A. Yes. Q. And is there any part of that sentence on which your work gave you a basis to opine as to the accuracy of this of any portion of that sentence? MR. HILL: Objection, lack of foundation. The question is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed the streets at will, weapons in hand; were constantly available to the media; and made few efforts to conceal their identities." So my question about those observations is whether your you lived in Ramallah during this period; right? A. Yes.
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership exerted a measure of influence." You see that sentence; right? A. Yes. Q. And is there any part of that sentence on which your work gave you a basis to opine as to the accuracy of this of any portion of that sentence? MR. HILL: Objection, lack of foundation. The question is confused. The witness can respond. A. So in my research, I paid attention to how Palestinians were understanding the events of the Intifada; I was not	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed the streets at will, weapons in hand; were constantly available to the media; and made few efforts to conceal their identities." So my question about those observations is whether your you lived in Ramallah during this period; right? A. Yes. Q. Or in a town next to Ramallah? A. Yes. Q. So are the observations that I just read from the ICG consistent with your experience living in that area?
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	reporting the following: "Numerous instances in which uniformed Palestinian security personnel initiated or participated in fire fights with Israeli forces and against settlements, and a conspicuous pattern in which some security forces (notably General Intelligence) were involved in the armed uprising while others (particularly the Preventative Security Force) remained wholly aloof, suggested that, at the very least, the leadership exerted a measure of influence." You see that sentence; right? A. Yes. Q. And is there any part of that sentence on which your work gave you a basis to opine as to the accuracy of this of any portion of that sentence? MR. HILL: Objection, lack of foundation. The question is confused. The witness can respond. A. So in my research, I paid attention to how Palestinians were understanding the events of the Intifada; I was not doing research on who was involved in what armed	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you some questions about it. "From their formation in late 2000 until early 2002, they" that being the Al-Aqsa brigades "experienced few real constraints within the comparatively safe havens of Area A. Although prominent commanders were at constant risk of assassination by the Israeli air force (and many were in fact killed), the militias enjoyed virtually unrestricted freedom within the cities. They routinely organized public displays of strength; roamed the streets at will, weapons in hand; were constantly available to the media; and made few efforts to conceal their identities." So my question about those observations is whether your you lived in Ramallah during this period; right? A. Yes. Q. Or in a town next to Ramallah? A. Yes. Q. So are the observations that I just read from the ICG consistent with your experience living in that area? MR. HILL: Objection, lack of foundation. Vague.
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1 · · · · · · · · · · · · · · · · · · ·	Page 137		Page 139
	was Israeli military was assassinating people that	1	Commitment Compliance Act?
2	they wanted killed. As it says here, "constant risk of	2	A. No.
	assassination."	3	Q. Have you ever seen any reports by the State Department
4	And that's what I understood from media at the time,	4	to Congress assessing whether the Palestinian Liberation
5	and subsequent research that I've done; that indeed	5	Organization or the PA complied with their commitments
6	happened. But this this paragraph is specifically	6	in the Oslo accords submitted to Congress under the
7	about the what they're calling the Al-Aqsa Brigades,	7	auspices of that statute?
8	and I don't have a basis for making statements about	8	A. Not that I recall.
9	Al-Aqsa Brigades.	9	MR. YALOWITZ: Bear with me one second.
10	BY MR. YALOWITZ:	10	MR. HILL: Sure.
11	Q. Okay. Do you understand that in connection with the	11	BY MR. YALOWITZ:
12	Oslo process, the PLO and the Palestinian Authority made	12	Q. So I wanted to ask you further about Professor Pape.
13	a number of commitments to the State of Israel?	13	A. Okay.
14	A. I'm familiar with that idea.	14	Q. Do you know him?
15	Q. They they recognized that Israel's right to exist	15	A. Personally, no, I don't think I've met him. I have seen
16	in peace and security; does that sound familiar to you?	16	him speak; that's all.
17	A. That sounds right.	17	Q. You what was the name of his book? "Dying to Win,"
18	Q. They committed themselves to a peaceful resolution of	18	or something like that?
19	the conflict with Israel; is that right?	19	A. I think so.
20	A. I don't have the text of the accords in my head, but	20	Q. "Dying to Win"?
21	that doesn't sound surprising.	21	You agree with me, don't you, that that book
22		22	contained a rational and careful analysis?
23	Q. They renounced the use of terrorism and violence; right?A. Again, I don't have the text of the accords in front of	23	•
24		23	MR. HILL: Objection, vague.
25	me, but that doesn't sound inconsistent.	25	Go ahead.
25	Q. They they agreed to assume responsibility over all	<u> </u>	A. Generally, I think that it was a political science text
	Page 138		Page 140
1	PLO elements and personnel to assure their compliance?	1	
			that attempted to find a rational analysis for the
2	A. The same answer.	2	phenomenon of suicide bombers. However, in in other
3	Q. Sounds right, but you don't have the text?	2	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but
3 4	Q. Sounds right, but you don't have the text?A. Right.	2 3 4	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made
3 4 5	Q. Sounds right, but you don't have the text?A. Right.Q. They agreed to prevent violations, and discipline	2 3 4 5	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made assumptions. So yes and no.
3 4 5 6	Q. Sounds right, but you don't have the text?A. Right.Q. They agreed to prevent violations, and discipline violators of these promises; does that ring any bells to	2 3 4 5 6	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made assumptions. So yes and no. BY MR. YALOWITZ:
3 4 5 6 7	Q. Sounds right, but you don't have the text?A. Right.Q. They agreed to prevent violations, and discipline violators of these promises; does that ring any bells to you?	2 3 4 5 6 7	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made assumptions. So yes and no. BY MR. YALOWITZ: Q. Well, you reviewed his book; right?
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3 4 5 6 7 8	Q. Sounds right, but you don't have the text?A. Right.Q. They agreed to prevent violations, and discipline violators of these promises; does that ring any bells to you?A. I don't know. I haven't read the text of the accords,	2 3 4 5 6 7 8 9	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made assumptions. So yes and no. BY MR. YALOWITZ: Q. Well, you reviewed his book; right? A. Mm-hmm. Q. And in your book review, you wrote that he had made a rational and careful analysis; right?
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Sounds right, but you don't have the text? A. Right. Q. They agreed to prevent violations, and discipline violators of these promises; does that ring any bells to you? A. I don't know. I haven't read the text of the accords, and if I had, certainly not recently enough to be able to state all of the different points that you're going over. Q. Do you have an opinion on whether the PLO and the PA complied with these commitments during the Al-Aqsa Intifada? A. No, I do not MR. HILL: Objection, lack of foundation. A. Sorry. No, I do not have an opinion. BY MR. YALOWITZ: Q. Have you ever read any of the reports by the United States State Department assessing whether the PLO and the PA complied with these commitments? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made assumptions. So yes and no. BY MR. YALOWITZ: Q. Well, you reviewed his book; right? A. Mm-hmm. Q. And in your book review, you wrote that he had made a rational and careful analysis; right? A. Okay. Q. I mean, I'm asking you. A. I don't recall the text of my review. I what I just described to you was basically what I wrote in that review, which is that he tried to present a rational and rational explanation for the phenomenon of suicide bombers generally, but there were aspects of the text that I thought were insufficiently elaborated or somewhat ideological. Q. Why don't I show you the book review, and maybe we can agree on the phraseology? A. Okay.
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Sounds right, but you don't have the text? A. Right. Q. They agreed to prevent violations, and discipline violators of these promises; does that ring any bells to you? A. I don't know. I haven't read the text of the accords, and if I had, certainly not recently enough to be able to state all of the different points that you're going over. Q. Do you have an opinion on whether the PLO and the PA complied with these commitments during the Al-Aqsa Intifada? A. No, I do not MR. HILL: Objection, lack of foundation. A. Sorry. No, I do not have an opinion. BY MR. YALOWITZ: Q. Have you ever read any of the reports by the United States State Department assessing whether the PLO and the PA complied with these commitments? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	phenomenon of suicide bombers. However, in in other ways, I found the analysis to not be rational, but rather to be a little bit ideological, and made assumptions. So yes and no. BY MR. YALOWITZ: Q. Well, you reviewed his book; right? A. Mm-hmm. Q. And in your book review, you wrote that he had made a rational and careful analysis; right? A. Okay. Q. I mean, I'm asking you. A. I don't recall the text of my review. I what I just described to you was basically what I wrote in that review, which is that he tried to present a rational and rational explanation for the phenomenon of suicide bombers generally, but there were aspects of the text that I thought were insufficiently elaborated or somewhat ideological. Q. Why don't I show you the book review, and maybe we can agree on the phraseology? A. Okay.

	Page 141		Page 143
1	exhibit 13 before you?	1	popular debates and U.S. foreign policy in the Middle
2	A. Yes.	2	East and beyond"; right?
3	Q. Would you look with me on page 110.	3	A. Yes.
4	A. Okay.	4	Q. And do you stand by that view, that it is a generally
5	Q. Do you have that?	5	well-reasoned book?
6	A. Yes.	6	A. I thought so, yes.
7	Q. This is this is your review of three books; right?	7	Q. Okay; great. And indeed, you cited his book in your
8	A. Yes.	8	report in our case; right?
9	Q. And is this peer reviewed, or is this more like like	9	A. Yes.
10	for the general academic reader?	10	Q. And you agree with his conclusion in his book that:
11	A. The latter.	11	"Suicide terrorism is not irrational, random, or
12	Q. All right. This is when was this published, by the	12	pathological, but rather political, organized and
13	way? '03? No.	13	directed towards specific, secular goals"; right?
14	A. It says "2006."	14	A. Is that a quote from my report? Or a quote from
15	Q. '06. So this was after the London terrorist bombings;	15	Q. It is not a quote from your report; it is a quote from
16	right?	16	your book review. I think it's also in your
17	A. I don't remember when the London terrorist bombings	17	dissertation, if memory serves.
18	were.	18	A. Can you tell me what page in the review?
19	Q. So see how at the very beginning you say: "The July	19	Q. Sure. Page 111.
20	bombings in London"?	20	A. Can you repeat the quote, please?
21	A. Oh, yeah; it must have been.	21	Q. Sure. We're in the first column, first full paragraph,
22	Q. All right. And then the next and that's you; right?	22	halfway through:
23	Lori A. Allen?	23	"Suicide terrorism is not irrational, random, or
24	A. Yes.	24	pathological, but rather political, organized, and
25	Q. All right. And this is your review of Pape's book;	25	directed toward specific, secular goals."
	Page 142		Page 144
1	right?	1	Are you with me?
2	A. Yes.	2	A. One moment, please.
3	Q. And do you see in the second paragraph, you say:	3	Q. Sure.
4	"In this climate of ideologically hidebound	4	A. So I've found the sentence that you quoted.
5	discourse, it is a relief to discover Robert Pape's	5	Q. And do you sitting here today, do you agree that that
6	rational and careful analysis in Dying to Win"?	6	is correct?
7	A. Yes.	7	A. What I agree is that this was Pape's assessment, that
8	Q. That's that was your review; right?	8	suicide terrorism is not irrational, random, or
9	A. Yes.	9	pathological.
10	Q. And do you stand by that review, or not?	10	Q. Right, but it's your assessment as well, isn't it?
11	A. I stand by my review and what I said in my earlier	11	A. No. Here I'm summarizing Pape's assessment.
12	comment, explaining further what I said in this review,	12	Q. Well, I'm asking you: Do you agree with it?
13	which is that it's a rational analysis, and I had	13	A. It's too broad of a statement to be able to simply
I	objections to some aspects of the book.	14	
14	1		agree. Suicide terrorism is different in different
15	Q. You thought that, for example, his understanding of	15	contexts, which is something that this book points out.
15 16	Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of	15 16	contexts, which is something that this book points out. And in fact, in this section, he is referring to
15 16 17	Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science?	15 16 17	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka
15 16 17 18	Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science?A. For example.	15 16 17 18	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka as an example of a secular a secular organization
15 16 17 18 19	Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science?A. For example.Q. And and so you identified the limitations you saw in	15 16 17 18 19	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka as an example of a secular a secular organization using suicide bombings.
15 16 17 18 19 20	Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science?A. For example.Q. And and so you identified the limitations you saw in the review; right?	15 16 17 18 19 20	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka as an example of a secular a secular organization using suicide bombings. Q. So so this is not your view; this is Pape's view?
15 16 17 18 19 20 21	 Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science? A. For example. Q. And and so you identified the limitations you saw in the review; right? A. I attempted to do that, yes. 	15 16 17 18 19 20 21	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka as an example of a secular a secular organization using suicide bombings. Q. So so this is not your view; this is Pape's view? A. In this review, in this section, I am summarizing Pape's
15 16 17 18 19 20 21 22	 Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science? A. For example. Q. And and so you identified the limitations you saw in the review; right? A. I attempted to do that, yes. Q. And then on page 112, you wrote: 	15 16 17 18 19 20 21	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka as an example of a secular a secular organization using suicide bombings. Q. So so this is not your view; this is Pape's view? A. In this review, in this section, I am summarizing Pape's analysis, pointing out that he is trying to present
15 16 17 18 19 20 21 22 23	 Q. You thought that, for example, his understanding of martyrdom was confined by the disciplinary strictures of political science? A. For example. Q. And and so you identified the limitations you saw in the review; right? A. I attempted to do that, yes. Q. And then on page 112, you wrote: "Despite these limitations, Dying to Win is 	15 16 17 18 19 20 21 22 23	contexts, which is something that this book points out. And in fact, in this section, he is referring to Sri Lanka, or I point out that he's using Sri Lanka as an example of a secular a secular organization using suicide bombings. Q. So so this is not your view; this is Pape's view? A. In this review, in this section, I am summarizing Pape's analysis, pointing out that he is trying to present a more nuanced understanding of where suicide terrorism
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	Page 145		Page 147
1	primarily or in the majority a religiously driven,	1	Q. And it's but it's I'm
2	and certainly not a primarily or majority Muslim kind of	2	A. In my dissertation.
3	activity.	3	Q. Right; it's your I'm just reading your dissertation.
4	Q. Do you is it your opinion that that suicide	4	A. Yes.
5	terrorism is political, organized, and directed toward	5	Q. Okay. Then and you cite various pages of his book;
6	specific secular goals?	6	right?
7	A. It depends on the case.	7	A. Yes.
8	Q. How about the case of the Al-Aqsa Intifada, for one?	8	Q. Then you've got another sentence, in which you write, in
9	A. So you're asking me if the suicide terror acts that were	9	your dissertation, in your words:
10	undertaken throughout the Second Intifada were secular	10	"Suicide terrorism is not irrational, random or
11	and political?	11	pathological, but rather, political, organized, and
12	Q. Political, organized, and directed towards specific	12	directed toward specific, secular goals."
13	secular goals.	13	Right?
14	A. And I can't make a general claim about suicide terrorism	14	A. That's what it says, yes.
15	or suicide acts, generally, during that	15	Q. Those are your words; right?
16	three-to-five-year period, however you count it.	16	A. Still in the context of me summarizing Pape's argument.
17	Q. So so I guess I need to mark your dissertation.	17	Q. And so do you agree with his argument in the context of
18	A. Fine.	18	the Al-Aqsa Intifada, or do you disagree with it?
19	MR. YALOWITZ: So we'll mark it as Allen 14.	19	A. I think that my effort in this dissertation was to
20	(Exhibit 14 marked for identification.)	20	understand the political, social and historical context
21	BY MR. YALOWITZ:	21	of a variety of events that occurred during the Second
22	Q. Do you have it before you?	22	Intifada. And the point that's being made here in the
23	Do you want to glance at it, or will you accept my	23	paraphrase and summary of Pape's book is that suicide
24	representation that it is indeed the dissertation of	24	terrorism and generally in this dissertation, I write
25	Dr. Lori A. Allen?	25	about various aspects of the Second Intifada and
	Page 146		Page 148
1	A. I will accept that representation.	1	resistance to the occupation were political rather
2	Q. Outstanding.	2	than rather than things that could be dismissed as
3	Why don't you look with me on page 367.	3	the pathological pathological and irrational acts of
4	Not only did I buy it, but I read it.	4	people who couldn't be understood.
5	A. I will not comment.	5	So that's the point I'm making in this section of
6	Sorry, I'm going to have to undo this.	6	the dissertation.
7	Q. Sure, you can take the binder clip off.	7	Q. Do you recall Pape's thank you, by the way; that's
8	Are you there?	8	helpful.
9	A. Yes.	9	Do you recall Pape's central thesis about what
10	Q. Do you see you're talking about Robert Pape?	10	causes suicide terrorism?
11	A. Yes.	11	A. If I recall correctly, he's trying to make the point
12	Q. You say he's among the most levelheaded approaches;	12	that people resort to suicide terrorism not out of
13	right?	13	religious motivations, but because it is in many cases
14	A. Yes.	14	a rational effort to achieve political liberation or
15	Q. And this is your dissertation; this is your opinion.	15	independence, or whatever the Sri Lankan Tigers or the
16	Right?	16	other organizations he analyzes were after.
17	A. Correct.	17	Q. So let me give you an excerpt from his book, and I'll
18	Q. And then you say what his argument is; right?	18	ask you some questions about it; okay?
19	A. Yes.	19	A. Okay.
20	Q. You say that his argument is " a response by weaker	20	MR. YALOWITZ: Do we have the excerpt? I think it's at the
21	actors against foreign occupation by democratic states,	21	very end of our
		22	Looks like it's 53.
22	and that it 'makes strategic sense,' usually as a last	2 2	2001.5 1110 115 001
	resort when crucial national interests are at stake";	23	(Discussion off the record.)
22	-		

	Page 149		Page 151
1 '	(Exhibit 15 marked for identification.)	1	looking at the bottom of page 20 and on to the top of
2	BY MR. YALOWITZ:	2	page 21, he says:
3	Q. Do you have it before you?	3	"To explain suicide terrorism, it is helpful to
4	A. Yes.	4	think of a suicide terrorist campaign as the product of
5	Q. If you look with me on page 20.	5	a three-step process."
6	A. Yes.	6	Do you see that?
7	Q. Do you see the heading, "THE STRATEGIC LOGIC OF SUICIDE		A. Yes.
8	TERRORISM"?	8	Q. Do you think that was a rational do you think that
9	A. Yes.	9	was part of his rational and careful analysis?
10	Q. And then Professor Pape poses the question: "What	10	A. Yes.
11	causes suicide terrorism?" Right?	11	Q. And then the three steps he's talking about are the
12	A. Yes.	12	strategic, the social and the individual; right?
13	Q. That's sort of the central question of the book; fair to	13	A. Yes.
14	say?	14	Q. And he says you have to consider all three; right?
15	A. Yes.	15	A. Yes.
16	Q. And he says:	16	Q. Now, with regard to strategic logic, he says:
17	"To answer this question, we must recognize that	17	"The vast majority of suicide terrorist attacks are
18	modern suicide terrorism occurs mainly in campaigns of	18	not isolated or random acts by individual fanatics, but
19	suicide attacks carried out by organized groups for	19	rather occur in clusters as part of a larger campaign by
20	specific political goals and extending over	20	an organized group to achieve a specific political
21	a considerable period of time."	21	goal."
22	Do you agree with that sentence?	22	Right?
23	A. I have not done a study of modern suicide terrorism as	23	A. Yes.
24	such, so I can't I can't agree, based on my own	24	Q. And you think that conclusion of his is part of his
25	research, that this is I can't agree, no.	25	rational and careful analysis?
			·
	Page 150		Page 152
1	Q. All right. Do you think this this well, then he	1	MR. HILL: Objection, vague.
2	says:	2	A. I believe that what makes his analysis rational and
3	"So the core phenomenon to be explained is not an	3	careful is his attempt to contextualize suicide
4	individual suicide attack, or even many such attacks	4	terrorism on these different dimensions.
5	considered [at one] time, but the existence of	5	BY MR. YALOWITZ:
6	protracted suicide terrorist campaigns. Although the	6	Q. And do you disagree with his assessment of the strategic
7	motives of individual attackers matter, the crucial need	7	logic?
8	is an explanation of the political, social and	8	MR. HILL: Objection, vague. Lack of foundation.
9	individual conditions that jointly account for why	9	A. Once again, his analysis is attempting to make broad
10	suicide terrorist campaigns persist, why so many are	10	claims about a broad phenomenon, drawing on specific
11	occurring now, and why they occur where and when they	11	cases. Here he mentions Hezbollah and Lebanon Hamas in
12	do."	12	the West Bank and the Tigers in Sri Lanka. He's
13	That's sort of the central question that he's posing	13	conducting a broad kind of political science analysis,
14	in his book; right?	14	and his focus is on answering the question of what is
15	A. Yes.	15	the strategic logic of behind these phenomenon
16	Q. And then he answers that question in the next three	16	generally.
17	pages, in summary fashion; fair to say?	17	Your question about whether or not I agree with
18	MR. HILL: Objection, compound question to the witness. But	18	whether or not I agree with his statement that if
19	she can respond, if she can.	19	I agree with his statement that such attacks happen as
20	A. It looks like an attempt to summarize his argument.	20	part of a larger campaign by an organized group,
21	BY MR. YALOWITZ:	21	I agree that that's his analysis; but I have nothing to
	Q. And his argument is that there is a three-step process;	22	say, really, about the organization of these kinds of
22			
22 23	right?	23	attacks in any specific terrorist campaign, so-called.
22		23 24 25	attacks in any specific terrorist campaign, so-called. Q. Sure. So do you know by the way, before I get to that I'm sorry, let me withdraw that question.

	Page 153		Page 155
1	Do you know what his view is about the militant	1	A. There are aspects of Pape's thesis or rather his
2	groups themselves? Do you recall that?	2	approach that I thought was the correct approach;
3	MR. HILL: Objection, vague.	3	that is, specifically, to understand these kinds of
4	A. What no, I don't know what you mean.	4	phenomena or acts or events in a broader social and
5	BY MR. YALOWITZ:	5	political context, and to understand that the people who
6	Q. Is that in my little excerpt? Oh, here it is; it's out	6	undertake these kinds of acts usually have a kind of
7	of order.	7	usually do have a political goal, as well as a set of
8	Page 8 explaining suicide terrorism. It's out of	8	individual political histories or personal or social
9	order in my copy; maybe it's correct in yours.	9	histories.
10	A. Does it come later?	10	And what I appreciated about Pape's text, and which
11	Q. Yeah.	11	led me to make the assessment that it was a rational and
12	MR. HILL: I think it's the page that says "2" on the top.	12	careful analysis, was precisely his willingness even
13	MR. YALOWITZ: Yeah. "Explaining Suicide Terrorism."	13	though he's a political scientist to try to take
14	Q. You see, he says:	14	account of multiple dimensions of social life, rather
15	"My general propositions hold across a wide variety	15	than trying to reduce any kind of social phenomenon to
16	of circumstances and account for a large portion of	16	a monocausal factor.
17	suicide terrorism, but they have limits."	17	Q. So his thesis is that you need three steps in the
18	A. Mm-hmm.	18	process; right?
19	Q. Do you see that?	19	A. His thesis is that there are three kinds of questions
20	A. Yes.	20	that should be asked in order to understand the
21	Q. And he says his arguments are meant to account for	21	phenomenon of suicide terrorism generally.
22	modern suicide terrorism?	22	Q. And you studied in your fieldwork two of the three
23	A. Yes.	23	questions; fair to say?
24	Q. And then he talks about modern suicide terrorist groups	24	A. Not exactly. My fieldwork was focused on the my
25	sharing a number of features; do you see that?	25	fieldwork was focused on trying to understand how
	D 154		
	Page 154		Page 156
1	A. Yes.	1	Page 156 Palestinians experienced and analyzed and represented
1 2		1 2	
	A. Yes.		Palestinians experienced and analyzed and represented a number of kinds of situations that were primary features during the Second Intifada.
2	A. Yes.Q. And one of the features is that the militants have	2	Palestinians experienced and analyzed and represented a number of kinds of situations that were primary
2 3	A. Yes. Q. And one of the features is that the militants have a close bond of loyalty to comrades and devotion to	2	Palestinians experienced and analyzed and represented a number of kinds of situations that were primary features during the Second Intifada.
2 3 4	A. Yes.Q. And one of the features is that the militants have a close bond of loyalty to comrades and devotion to leaders; do you see that?	2 3 4	Palestinians experienced and analyzed and represented a number of kinds of situations that were primary features during the Second Intifada. Suicide terrorism, specifically, was not a prime
2 3 4 5	A. Yes.Q. And one of the features is that the militants have a close bond of loyalty to comrades and devotion to leaders; do you see that?A. I see that.	2 3 4 5	Palestinians experienced and analyzed and represented a number of kinds of situations that were primary features during the Second Intifada. Suicide terrorism, specifically, was not a prime focus of my research; rather, understanding how Palestinians came to feel or support various acts of violence against the occupation was something that
2 3 4 5 6	 A. Yes. Q. And one of the features is that the militants have a close bond of loyalty to comrades and devotion to leaders; do you see that? A. I see that. Q. Now, you didn't study the Palestinian militants; right? A. Correct. Q. So you have no basis to opine on whether the Palestinian 	2 3 4 5 6	Palestinians experienced and analyzed and represented a number of kinds of situations that were primary features during the Second Intifada. Suicide terrorism, specifically, was not a prime focus of my research; rather, understanding how Palestinians came to feel or support various acts of violence against the occupation was something that I tried to understand.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. Yes. Q. And one of the features is that the militants have a close bond of loyalty to comrades and devotion to leaders; do you see that? A. I see that. Q. Now, you didn't study the Palestinian militants; right? A. Correct. Q. So you have no basis to opine on whether the Palestinian militant community fits the description that Pape is giving about their close bond of loyalty to comrades and devotion to leaders; right? A. I'm not sure there's such a thing as a single political I mean militant community, first of all. What I have opined about is the general context in which people felt like violent resistance to occupation was the thing to do. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Palestinians experienced and analyzed and represented a number of kinds of situations that were primary features during the Second Intifada. Suicide terrorism, specifically, was not a prime focus of my research; rather, understanding how Palestinians came to feel or support various acts of violence against the occupation was something that I tried to understand. Q. So that kind of goes to the social logic of suicide terrorism; is that do I have that right? A. As I said, my research was not focused on suicide terrorism. The term "social logic" could be applied to the kind of research that anthropologists and I being one of them try to get at the social logic of events, practices, beliefs, attitudes and so forth. Q. Now, did you study anything that touched on the
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	Page 157		Page 159
1	reasons why people would become involved in violent	1	MR. YALOWITZ: Yeah. Of course.
2	attacks or violent forms of resistance to the	2	(2:54 p.m.)
3	occupation.	3	(A break was taken.)
4	Q. Did anything in your work lead you to understand the	4	(3:11 p.m.)
5	logic of leaders like Arafat or Barghouti?	5	BY MR. YALOWITZ:
6	MR. HILL: Objection, vague, lack of foundation I'm	6	Q. Dr. Allen, before we went on break, I think you you
7	sorry.	7	made a comment, in words or substance, that from your
8	MR. YALOWITZ: That's all right. Let me ask the question	8	perspective, the violence that you observed and read
9	again.	9	about was somewhat chaotic. I don't know if you used
10	Q. Did did anything in your work lead you to understand	10	that word, but is that a fair statement?
11	the logic or motivations of leaders like Arafat and	11	A. I think what I said was that the situation during the
12	Barghouti with regard to violence against civilians?	12	Second Intifada, for Palestinians living in Occupied
13	MR. HILL: Objection, lack of foundation. Vague.	13	Territories, was chaotic, yeah.
14	A. Insofar as people like Barghouti and Arafat were members	14	Q. And and so you didn't perceive patterns to the
15	of Palestinian society living under occupation, insofar	15	violence, or recriminations, or cycles of violence, or
16	as my research brought me to an understanding of why	16	anything like that?
17	people wanted to get rid of the occupation and why some	17	MR. HILL: Objection, vague, compound.
18	people wanted to get rid of the occupation by violent	18	Go ahead.
19	means, insofar as I understood this context as both	19	MR. YALOWITZ: Sure.
20	a reflection of the specific features of the Second	20	A. When I was referring to the chaos, I think I was
21	Intifada and the kinds of oppression and violence and	21	referring more to the subjective feeling of everyday
22	insecurity and fear that characterized most people's	22	life under occupation, which was the focus of my
23	lives during the Second Intifada, as well as my	23	research. So what I was referring more to was the fact
24	understanding of the history of occupation and the	24	that people never knew what was going to be confronting
25	history of Palestinians in a national liberation	25	them the next day. They never knew where the next
	Page 158		Page 160
1	Page 158 movement, then, yes, part of my research did allow me to	1	Page 160 checkpoint was going to be, or whether or not they would
1 2		1 2	checkpoint was going to be, or whether or not they would make it to work, or whether or not their kid would come
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1 .	statement.	1	MR. HILL: Objection, lack of foundation.
2	Q. So do you let's just make a mental note of that, and	2	A. I don't recall that.
3	come back to it, okay?	3	BY MR. YALOWITZ:
4	Do you remember there was a ceasefire in December	4	Q. Were you aware that Marwan Barghouti claimed credit for
5	of 2001?	5	coordinating the cessation of attacks with Khaled Meshal
6	A. I don't remember that.	6	of Hamas and Ramadan Shala, the leader of Islamic Jihad?
7	Q. Will you accept my representation that that happened?	7	MR. HILL: Objection, lack of foundation.
8	A. I will.	8	A. That's not something I knew about.
9	Q. Were you aware that the Palestinian Authority enforced	9	BY MR. YALOWITZ:
10	the ceasefire with arrests of Palestinians?	10	Q. You do recall that on January 14th, 2002, Israeli forces
11	MR. HILL: Objection, lack of foundation.	11	killed an individual named Raed al-Karmi?
12	A. I did not have first-hand evidence of the Palestinian	12	MR. HILL: Objection, lack of foundation.
13	Authority making arrests.	13	A. I recall there being reports about the killing of Karmi.
14	BY MR. YALOWITZ:	14	BY MR. YALOWITZ:
15	Q. I'm sorry?	15	Q. And does that date sound right to you, January 14th?
16	A. I didn't have first-hand evidence of of that.	16	A. I don't have that chronology in my head.
17	Q. Did you have second- or third-hand evidence of that?	17	Q. Let's see if Cordesman has it; otherwise, we can look at
18	A. I mean, if it was reported in the press that the	18	another document.
19	Palestinian Authority was arresting people, I probably	19	MR. YALOWITZ: Where's Cordesman? Cordesman must have it.
20	would have been aware of it.	20	No, he doesn't have it.
21	Q. You're just saying, sitting here today, you don't	21	Okay, so we'll mark this in a moment. This will be
22	remember that?	22	16.
23	A. Correct.	23	(Exhibit 16 marked for identification.)
24	Q. All right. And were you aware in December of 2001 that		BY MR. YALOWITZ:
25	the Palestinian Authority closed down charities and	25	Q. All right. Will you look with me on page 121.
	·		
	Page 162		Page 164
1	similar institutions affiliated with Hamas and Islamic	1	By the way, does this refresh your recollection?
2	Jihad?	2	This is a document you've seen before; right?
3	A. I don't recall reading about that specifically, and	3	A. Yes.
4	I didn't observe it.	4	Q. But not for some years?
5	Q. You understand Hamas and Islamic Jihad to have been	5	A. I don't think so.
6	groups that engaged in violence against civilians;	6	Q. You don't think so, meaning you don't think you've seen
7	right?	7	it for some years?
8	MR. HILL: Objection, lack of foundation.	8	A. Correct.
9	A. I understand that there were people who claimed	9	Q. Okay. Let's look together
10	affiliation with the groups called Hamas or Islamic	10	A. And and I never saw it as I don't think as a
11	Jihad, and I understood that sometimes people claiming	11	document; I think I reviewed it online.
12	that affiliation claimed responsibility for different	12	Q. Let's look at page 121 together.
13	kinds of violent attacks.	13	The bottom paragraph of the text, you see there,
14	BY MR. YALOWITZ:	14	Human Rights Watch is describing:
15	Q. Were you aware that in the last third of December 2001,	15	"Over a four-week period no suicide or other
16	PA security forces killed six Palestinians and	16	attacks inside Israel took place"?
17	reportedly wounded about 90 in connection with the	17	A. Sorry, how does the sentence begin?
18	enforcement of the ceasefire that was declared	18	Q. "Over a four-week period"
19	in December 2001?	19	A. Oh, sorry, yeah.
20	MR. HILL: Objection, lack of foundation.	20	Q. Sorry. I should be paying attention to you instead of
21	A. I don't I don't recall that.	21	reading the document.
22	BY MR. YALOWITZ:	22	A. I found it.
23	Q. Do you recall that following that intra-Palestinian	23	Q. All right. We've been over this part of it; I'm just
24	violence, Hamas announced that it would abide by the	24	trying to orient you.
25	ceasefire?	25	A. Okay.

	Page 165		Page 167
1	Q. All right. So if you turn the page to 122, you see	1	headline is "Grilling of top Palestinian militant
2	they're reporting that the ceasefire broke, on the	2	exposes Arafat's link to terror attacks on Israelis,
3	Palestinian side, on January 9?	3	papers show"?
4	A. Yes.	4	A. Yes.
5	Q. And then in the next paragraph, they report:	5	Q. And then after that, it says:
6	"On January 14, following the assassination of the	6	"Transcripts of the Shin Bet interrogations of the
7	Tulkarem leader of the Al-Aqsa Martyrs 'Brigades, Ra'id	7	cagily ambivalent Marwan Barghouti a decade ago show the
8	Al-Karmi, that group announced that it was canceling	8	former PLO leader avoided taking responsibility for
9	its adherence to the cease-fire"?	9	terror attacks during the Second Intifada while
10	A. I read that.	10	bankrolling them"?
11	Q. All right. Does that refresh your recollection as to	11	A. I read that.
12	when al-Karmi was killed?	12	Q. All right. And then, if you look with me, they've got
13	A. I'll accept these dates as reported by Human Rights	13	some news analysis, some analysis of the of the
14	Watch.	14	reports. And then, if you look with me on page 4, they
15	Q. All right; that's great.	15	say well, I'll wait for you to get to page 4; take
16	Now, are you aware, sitting here today, that in the	16	your time.
17	mourners' tent erected in Ramallah in Karmi's	17	A. Thank you.
18	memory, Marwan Barghouti told Ahmed Barghouti and those	18	Q. You've not seen this before; right?
19	present that Karmi's death had to be avenged?	19	A. I don't believe so, no.
20	MR. HILL: Objection, lack of foundation.	20	Q. Right. Take your time; feel free to read it carefully.
21	A. I have no knowledge of that.	21	I'm going to direct you to the bottom of page 4.
22	BY MR. YALOWITZ:	22	Have you gotten to page 4 yet?
23	Q. Did you did you attend the mourners' tent in Ramallah	23	A. I'm on page 4, yes.
24	in memory of Karmi?	24	Q. Do you see at the bottom, they they write:
25	A. No.	25	"Following are abridged versions of the records from
	A. 100.		Tollowing are abridged versions of the records from
	Page 166		Page 168
1	Q. Let's look together at a document that reports on	1	Barghouti's interrogations"?
2	Barghouti's statements following his arrest.	2	A. Yes.
3	MR. YALOWITZ: This will be exhibit 17.	3	Q. Now I would like to direct your attention to the
4	(Exhibit 17 marked for identification.)	4	interrogation that was reported to have taken place
5	BY MR. YALOWITZ:	5	on April 24th, which begins on page 8. Do you see that?
6	Q. Do you have 17 before you?	6	A. Yes.
7	A. Yes.	7	Q. Directing your attention to the fifth paragraph on
8	Q. This is from Haaretz; right?	8	page 8, do you see the report is recording that:
9	A. Yes.	9	"Barghouti describes a temporary cease-fire that was
10	Q. We talked about Haaretz before?	10	agreed upon on December 16, 2001, when U.S. envoy Gen.
11	A. Yes.	11	Anthony Zinni arrived in the region"?
12	Q. You didn't read this article when it came out in 2012,	12	A. I see that.
13	did you?	13	Q. That's consistent with the ceasefire we've been talking
14	A. I don't recall so.	14	about; right?
15	Q. This is not something that you considered when you	15	MR. HILL: Objection, lack of foundation.
16	reached your conclusions and rendered your report;	16	A. According to your characterization of December
17	right?	17	through January as a ceasefire.
18	A. Correct.	18	BY MR. YALOWITZ:
19	Q. Do you see that it's Haaretz here is reporting on	19	Q. Well, but it's not just my characterization; that's what
20	Barghouti's post-arrest statements?	20	Human Rights Watch said as well. Right?
21	A. On his "post-arrest statements"?	21	A. Okay. Yes.
22	Q. That's what we lawyers call confessions.	22	Q. I mean, I'm just a lawyer; I didn't live through it.
23	MR. HILL: Where are you talking about, Kent? Which page?	23	A. Yes.
24	BY MR. YALOWITZ:	24	Q. All right. Now, the next sentence reads:
25	Q. You see it says at the very in the very first the	25	"On Arafat's orders, says Barghouti, I coordinated

	Page 169		Page 171
1	a cessation of the attacks with Khaled Meshal of Hamas	1	A. Yes.
2	and Ramadan Shalah, leader of Islamic Jihad, both in	2	Q. By Marwan Barghouti; right?
3	Damascus."	3	A. Yes.
4	You see that?	4	Q. And the headline is: "Want Security? End the
5	A. Yes.	5	Occupation." Right?
6	Q. Do you know who those individuals are? Khaled Meshal:	6	A. Yes.
7	Have you ever heard of Khaled Meshal?	7	Q. Did you read this document when it was published by the
8	A. I have heard of Khaled Meshal as a leader of Hamas.	8	Washington Post in January 2002?
9	Q. And have you heard of Ramadan Shala	9	A. I may have, but I don't recall specifically.
10	A. No.	10	Q. Directing your attention to the final paragraph on the
11	Q leader of Islamic Jihad?	11	front page: Do you see that?
12	A. Except that I think his name came up a few moments ago	12	A. Yes.
13	in our conversation.	13	Q. Barghouti writes:
14	Q. That's the first time you've heard of him?	14	"The only way for Israelis to have security is,
15	A. To my recollection.	15	quite simply, to end the 35-year-old Israeli occupation
16	Q. All right. Then the next sentence in the report of	16	of Palestinian territory. Israel must abandon the myth
17	Barghouti's interrogation reads:	17	that it is possible to have peace and occupation at the
18	"The violence was renewed in full force a month	18	same time, that peaceful coexistence is possible between
19	later, after Israel assassinated Raed Karmi."	19	slave and master. The lack of Israeli security is born
20	Do you see that?	20	of the lack of Palestinian freedom. Israel will have
21	A. Yes.	21	security only after the end of the occupation, not
22	Q. That's consistent with what we've been seeing; right?	22	before."
23	MR. HILL: Objection, lack of foundation.	23	Do you see that?
24	BY MR. YALOWITZ:	24	A. Yes.
25	Q. We saw Human Rights Watch reported that this	25	Q. That is consistent with Pape's thesis; right?
	Page 170		Page 172
1	Page 170 A. We saw that Human Rights Watch reported a similar	1	Page 172 MR. HILL: Objection, vague.
1 2		1 2	
	A. We saw that Human Rights Watch reported a similar		MR. HILL: Objection, vague.
2	A. We saw that Human Rights Watch reported a similar chronology of events.	2	MR. HILL: Objection, vague. A. I think that Pape's thesis is I don't think Pape's
2 3	A. We saw that Human Rights Watch reported a similar chronology of events. Q. And then this is the sentence that I was asking you	2	MR. HILL: Objection, vague.A. I think that Pape's thesis is I don't think Pape's thesis is specifically about what's required for peace
2 3 4	 A. We saw that Human Rights Watch reported a similar chronology of events. Q. And then this is the sentence that I was asking you about earlier, which you said you didn't know: "Barghouti admits that in the mourners' tent erected in Ramallah in Karmi's memory, he told Ahmed Barghouti 	2 3 4	 MR. HILL: Objection, vague. A. I think that Pape's thesis is I don't think Pape's thesis is specifically about what's required for peace between Israel and Palestine. BY MR. YALOWITZ: Q. Fair enough. Let me ask a more directed question.
2 3 4 5	A. We saw that Human Rights Watch reported a similar chronology of events.Q. And then this is the sentence that I was asking you about earlier, which you said you didn't know: "Barghouti admits that in the mourners' tent erected	2 3 4 5	 MR. HILL: Objection, vague. A. I think that Pape's thesis is I don't think Pape's thesis is specifically about what's required for peace between Israel and Palestine. BY MR. YALOWITZ: Q. Fair enough. Let me ask a more directed question. Pape's thesis is that suicide terrorism is
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. We saw that Human Rights Watch reported a similar chronology of events. Q. And then this is the sentence that I was asking you about earlier, which you said you didn't know: "Barghouti admits that in the mourners' tent erected in Ramallah in Karmi's memory, he told Ahmed Barghouti and those present that Karmi's death had to be avenged." A. I read that. Q. And you were not aware of that when you reached your conclusions and rendered your report; right? A. I was not aware that this was reported. Mm-hmm. Q. Thank you. Now, are you sitting here today, are you aware that two days following the January 14th killing of Karmi, Marwan Barghouti published an op-ed piece in the Washington Post? MR. HILL: Objection, lack of foundation. A. I don't recall it. BY MR. YALOWITZ: Q. Why don't we look together at it. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 MR. HILL: Objection, vague. A. I think that Pape's thesis is I don't think Pape's thesis is specifically about what's required for peace between Israel and Palestine. BY MR. YALOWITZ: Q. Fair enough. Let me ask a more directed question.
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	Page 173		Page 175
1 .	civilians in Israel?	1	MR. HILL: Objection, lack of foundation.
2	MR. HILL: Objection, lack of foundation.	2	A. What I recall is that something to that effect was
3	A. I have no knowledge of what people who may have claimed	3	claimed in one of the reports that I read, and I have no
4	to have been Al-Aqsa Martyr Brigades were doing in this	4	other external understanding of Ahmed Barghouti or his
5	period.	5	relationship.
6	BY MR. YALOWITZ:	6	BY MR. YALOWITZ:
7	Q. So were you aware that on January 17th, an Al-Aqsa	7	Q. And do you know what the relationship is between Nasser
8	Brigade gunman attacked a bar mitzvah celebration in the	8	Aweis and Marwan and Ahmed Barghouti?
9	Israeli city of Hadera, killing six and wounding several	9	A. No.
10	dozen before being shot to death?	10	MR. HILL: Objection.
11	MR. HILL: Objection, lack of foundation.	11	A. No, sorry.
12	A. I have no knowledge of that event.	12	MR. HILL: It's okay.
13	BY MR. YALOWITZ:	13	BY MR. YALOWITZ:
14	Q. Let's look at Human Rights Watch and see if that rings	14	Q. Are you aware that Nasser Aweis worked for the
15	a bell for you.	15	PA security services?
16	Do you have the Human Rights Watch report?	16	MR. HILL: Objection, lack of foundation.
17	A. Yes.	17	A. I have no knowledge of Nasser Aweis or who he worked
18	Q. Look on page 122, if we can find it here it is.	18	for.
19	Let me know when you're there: 122.	19	BY MR. YALOWITZ:
20	A. Yes.	20	Q. And so I take it you it would be news to you if
21	Q. Do you have it?	21	I told that you that he was convicted of the murders
22	A. I have page 122.	22	carried out in the attack on January 17th, 2002, on the
23	Q. You see where they report:	23	bat mitzvah in Hadera?
24	"On January 17, an Al-Aqsa Brigades gunman attacked	24	MR. HILL: Objection, lack of foundation.
25	a bat mitzvah celebration"?	25	BY MR. YALOWITZ:
	Page 174		Page 176
1	A T divided in 11		
_	A. I see that that's reported here.	1	Q. Is that right?
2	A. I see that that's reported here. Q. Right. Do you have any reason to doubt the facts that	1 2	Q. Is that right?A. I recall that his case was discussed in at least one of
	_		
2	Q. Right. Do you have any reason to doubt the facts that	2	A. I recall that his case was discussed in at least one of
2 3	Q. Right. Do you have any reason to doubt the facts that are being reported in Human Rights Watch report?	2	A. I recall that his case was discussed in at least one of the reports that I reviewed.
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	Page 177		Page 179
1	Q. And so then I take it it would be news to you that one	1	A. Not that I'm aware of, no.
2	of those five convicted was Ahmed Barghouti; right?	2	Q. You see, because you wrote in your report that you
3	MR. HILL: Objection, lack of foundation.	3	didn't know of any evidence of the PA recruiting suicide
4	A. As I said, I recall that his case was discussed in one	4	terrorists; remember that?
5	of the reports that I reviewed for this.	5	A. Yes.
6	BY MR. YALOWITZ:	6	Q. And so when you reached that conclusion and rendered
7	Q. And are you aware, sitting here today, that those five	7	that opinion in your report, you were unaware of the
8	surviving conspirators are still members of the	8	statements that Mr. Noor gave saying that members of PA
9	Palestinian Authority security force, getting paid and	9	military intelligence recruited Wafa Idris; right?
10	promoted by the Palestinian Authority while they sit in	10	MR. HILL: Objection, lack of foundation.
11	jail for their murders?	11	A. I did not review statements by Mr. Noor.
12	MR. HILL: Objection, lack of foundation.	12	BY MR. YALOWITZ:
13	A. I do not know about the conditions of the people that	13	Q. All right. Did you go to Idris's funeral?
14	you're referring to, nor do I know about who the	14	A. No.
15	Palestinian Authority is paying or for what.	15	Q. You don't have any information about the relationship
16	BY MR. YALOWITZ:	16	between Arafat and Marwan Barghouti; right?
17	Q. Were you aware that on January 27th, 11 days	17	A. No.
18	after Marwan Barghouti published his op-ed piece in the	18	Q. You didn't read any of Marwan Barghouti's statements
19	Washington Post, Wafa Idris blew herself up on a street	19	about his relationship with Arafat that he gave to the
20	in Jerusalem?	20	authorities following his arrest; correct?
21	MR. HILL: Objection, lack of foundation.	21	A. Correct.
22	A. I don't know about this event, beyond what I read in the	22	Q. Are we good, or you want to take a break?
23	press and see in front of me in this report.	23	A. I'm okay.
24	BY MR. YALOWITZ:	24	Q. You relied on an individual named Richard Falk in your
25	Q. Have you ever read any Palestinian Authority military	25	report?
	Page 178		D 100
	rage 170		Page 180
1	intelligence documents about the Wafa Idris attack?	1	A. I cite him in my report, yes.
1 2	intelligence documents about the Wafa Idris attack? A. No.	1 2	A. I cite him in my report, yes.Q. Do you understand that there are people who do not
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1 2	Page 181		Page 183
	academic boycott of Israel?	1	Q. You would agree with me that there is significant
_	A. Yes, I support the academic boycott of Israel.	2	mistreatment of those people; right?
3	Q. How come?	3	A. Yes.
4	A. Because I think that the occupation needs to end, and	4	Q. You would agree with me that Palestinian refugees in
5	people have run out of ways of trying to come to that	5	Syria have a terrible lot in life; right?
6	resolution, and the boycott is one peaceful means of	6	A. I would agree that pretty much everyone in Syria has
7	both trying to convince the Israeli public that things	7	a terrible lot in life right now, yes.
8	can't continue with the occupation as they are, and	8	Q. Have you written about abuses of Palestinian people at
9	I think that the academic boycott is also a way that	9	the hands of the Palestinian Authority?
10	people can come together to try to find a peaceful means	10	A. I believe that I have discussed the abuse yes,
11	to encourage a more peaceful resolution to the conflict.	11	I have.
12	Q. There are many people in the Arab world who argue that	12	Q. What have you written about that?
13	the occupation is not just of the West Bank, or the West	13	A. Well, I mean, I'm trying to think of where,
14	Bank and Gaza, but is of the entire geographic territory	14	specifically. I believe that in my book, or perhaps in
15	from the Jordan River to the Mediterranean Sea; you've	15	articles that I've written, I've discussed the fact that
16	heard that argument, I'm sure?	16	detainees in Palestinian prisons have been mistreated,
17	A. I have.	17	sometimes to the point of death.
18	Q. Do you share that view?	18	Q. Have you discussed that topic with regard to Hamas
19	A. No. The occupation is, I believe, defined under	19	Hamas? How do you say it?
20	international law as being the West Bank, Gaza Strip,	20	A. Hamas.
21	and East Jerusalem.	21	Which topic? The mistreatment
22	Q. Do you do you understand the view of those who argue	22	Q. The topic of mistreatment of prisoners to the point of
23	that the occupation is of the entire geographic	23	death.
24	territory?	24	A. By Hamas?
25	A. I think I understand where that view comes from and the	25	Q. Yes.
	Page 182		Page 184
1	history in which it is based.	1	A. I'm trying to think if that comes up in my book.
2	Q. And what do you think of that view?	2	It's it may appear in my book.
3	A. I think that it's not helpful for the resolution of the	3	Q. You're aware that it exists; right?
4	conflict.	4	A. Indeed well, how about this: I'm aware that there
5	Q. You have a couple of comments in your report about	5	
	tortura		are reports by credible human rights organizations that
6	torture.	6	abuse of prisoners in Hamas prisons happens, yes.
6 7	A. Yes.		abuse of prisoners in Hamas prisons happens, yes. Q. You cite in your report a case report from an
-	A. Yes. Q. You're I think we established earlier, you're not	6	abuse of prisoners in Hamas prisons happens, yes. Q. You cite in your report a case report from an organization called B'Tselem as evidence about torture
7 8 9	A. Yes.Q. You're I think we established earlier, you're not expert on the subject of torture; right?	6 7 8 9	abuse of prisoners in Hamas prisons happens, yes. Q. You cite in your report a case report from an organization called B'Tselem as evidence about torture in Israeli prisons; right?
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. Yes. Q. You're I think we established earlier, you're not expert on the subject of torture; right? MR. HILL: Objection, misstates the testimony. She can respond. A. I have written about torture of Palestinians in Israeli prisons. I have read extensive human rights organizations' documentation of torture of Palestinians in Israeli prisons. And I've spoken to many people who have experienced, first hand, torture in Israeli prisons. BY MR. YALOWITZ: Q. Have you have you written about mistreatment of Palestinians by the government of Lebanon? A. I haven't written much about Lebanon, so no, I don't think that I have. 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 abuse of prisoners in Hamas prisons happens, yes. Q. You cite in your report a case report from an organization called B'Tselem as evidence about torture in Israeli prisons; right? A. Yes. Q. And the particular case report is a report about an individual whose testimony was suppressed because the court concluded that his statements had been coerced; right? A. I MR. HILL: Objection, lack of foundation. BY MR. YALOWITZ: Q. Do you recall that? A. I I recall reading such a B'Tselem report; I'm not sure if I cited it in the report. Q. Fair enough. Why don't I give you a fair enough; let me

1	Page 185		Page 187
1 .	(Exhibit 19 marked for identification.)	1	A. And so if I just can continue
2	BY MR. YALOWITZ:	2	BY MR. YALOWITZ:
3	Q. So, directing your attention to page 22 of your	3	Q. Sure, sure. Sorry; I didn't mean to interrupt. Go
4	report do you have it?	4	ahead.
5	A. Yes.	5	A. What I'm trying to point out with the final reference to
6	Q. So the last sentence on page 22, you write that:	6	human rights and UN organizations that document the
7	" B'Tselem, other human rights organizations, as	7	maltreatment and torture of Palestinian political
8	well the United Nations, have extensive documentation of	8	prisoners is to show that people who Palestinians who
9	the torture and forced confessions that Palestinian	9	were in Israeli jails may very well have also been
10	political prisoners are subjected to in Israeli jails,	10	convicted under Israeli military courts as a result of
11	and it is therefore incumbent on the PA to call	11	forced confessions, under torture.
12	attention to these issues."	12	Q. Okay.
13	That's your assertion in your report, on page 22;	13	A. So yes.
14	right?	14	Q. Okay.
15	A. Yes.	15	A. I'll stop.
16	Q. And then you and this is this is as support for	16	Q. I think I understand. So you're using the concept of
17	the topic sentence at the beginning of the paragraph:	17	torture in order to draw into question the validity of
18	" it must be noted that the PA did not encourage	18	the convictions of people sitting in Israeli jails; is
19	the killing of civilians."	19	that right?
20	Right?	20	A. Not exactly. I'm saying that human rights organizations
21	A. Yes.	21	have called into question the validity of convictions of
22	Q. Okay. So I guess the first question is: How does that	22	Palestinians sitting in Israeli jails; but what I'm
23	sentence support your topic sentence? I don't I	23 24	doing is trying to address what I see are
24	don't get it.		misinterpretations or equations of terms that do not
25	MR. HILL: Objection, vague, ambiguous. The witness can	25	equate, in Marcus's report.
	Page 186		Page 188
1	respond.	1	Q. So you've mentioned political prisoners a couple of
2	MR. YALOWITZ: "I don't get it" is not ambiguous. It's very	2	times.
3	clear.	3	A. Yes.
4	MR. HILL: Well, I'm not sure what you're I'm not sure	4	Q. What does that mean? What's a political prisoner?
5	what	5	A. A political prisoner is somebody who has been put in
6	MR. YALOWITZ: I don't get it.	6	jail for political reasons, or or I would use that
7	MR. HILL: I'm not sure what you don't get, is my objection;	7	term to refer to Palestinians who were put in Israeli
8	but the witness can respond.	8	jails as a result of their resistance to the occupation.
9	WITNESS: I'll respond. One moment, please.	9	They're political prisoners because they are involved,
10	A. These sentences come together in a paragraph where I am	10	and seen by Palestinians to be involved, in a political
11	trying to point out the vague and ideological uses of	11	act.
12	particular words in Marcus's report, including his	12	Q. So like we've put in jail, in the United States, people
13	blanket equation of resistance for terror.	13	who've committed acts of violence against civilians for
14	This paragraph is also showing that in Marcus's	14	political purposes; we call those people terrorists.
15	report, he's incorrectly coalescing or claiming that	15	You're familiar with that; right?
16	anyone who I believe he's in this section he's	16	A. Yes.
17 18	claiming that Palestinian Authority responses to or	17	Q. And would you consider those people to be political
. IX	appreciation of the difficult situation of Palestinian	18	prisoners because they committed their crimes for
	political prisoners in Israeli jails is something	19 20	political reasons? A. As I said, when I use the term "political prisoner," I
19	distinct from that that ! 11 1		A AS I Said when I lise the term "political prisoner" I
19 20	distinct from that you that you can't say that		
19 20 21	people who are in prison in Israeli jails are people who	21	am referring to the perception among Palestinians, the
19 20 21 22	people who are in prison in Israeli jails are people who were sent to kill on PA orders. I'm saying that those	21 22	am referring to the perception among Palestinians, the understanding that people who are in Israeli jails for
19 20 21 22 23	people who are in prison in Israeli jails are people who were sent to kill on PA orders. I'm saying that those things cannot be equated.	21 22 23	am referring to the perception among Palestinians, the understanding that people who are in Israeli jails for acts committed in resistance to the occupation are seen
19 20 21 22	people who are in prison in Israeli jails are people who were sent to kill on PA orders. I'm saying that those	21 22	am referring to the perception among Palestinians, the understanding that people who are in Israeli jails for

1	Page 189		Page 191
	by some as political prisoners; it depends on the	1	acts of violence against civilians in Jerusalem. Let's
2	perspective from which you're you're assessing what	2	suppose further that they are arrested, they readily
3	these people have done.	3	admit their crimes, they are duly convicted based on
4	The people that I'm referring to are people who are	4	their confessions, or indeed in many cases they plead.
5	involved in a collective nationalist liberation		And assume further that at sentencing, they announce:
6	liberation movement or effort; I wouldn't call it	6	"I am proud of what I did, and I would do it again."
7	a movement, because it's not quite that unified.	7	Do you think those people have violated the law of
8	Q. Do you understand that in a war of national liberation,	8	nations?
9	it is a war crime to perpetrate violence against	9	MR. HILL: Objection, incomplete hypothetical, lack of
10	civilians?	10	foundation, improper hypothetical for this witness. But
11	A. I'm not an expert on international or humanitarian or	11	she can respond.
12	human rights law. I know that there are a variety of UN	12	MR. YALOWITZ: Sure.
13	General Assembly resolutions that that give	13	A. I don't know what the law of nations is that you're
14	Palestinians or other people living in colonial	14	referring to.
15	situations the right to resist occupation, or resist	15	BY MR. YALOWITZ:
16	colonialism, or seek liberation by all necessary means;	16	Q. Okay. Do you think those people are criminals?
17	and I know that most Palestinians, regardless of whether	17	MR. HILL: Same objections. And vague.
18	or not they can name the specific UN General Assembly	18	Go ahead.
19	resolutions, believe it to be their right to struggle	19	A. It it depends on I mean, a criminal is can be
20	against the occupation, including by violence.	20	an I don't know how to answer a vague question.
21	I also understand there are a variety of opinions	21	BY MR. YALOWITZ:
22	about what are the correct or moral or strategic or	22	Q. Do you think those people are political prisoners?
23	appropriate targets of that kind of violence to end	23	A. I think that people in that situation would be regarded
24	occupation.	24	by Palestinians as political prisoners.
25	Q. Do you think there is any country anywhere in the world	25	Q. How do you regard them?
	Page 190		Page 192
1	where it is legal to perpetrate purposefully	1	A. Yes, I think they're political prisoners.
1 2	where it is legal to perpetrate purposefully perpetrate violence against unarmed civilians to achieve	1 2	A. Yes, I think they're political prisoners.Q. And do you think they're also criminals?
2	perpetrate violence against unarmed civilians to achieve political goals? MR. HILL: Objection, lack of foundation.	2	Q. And do you think they're also criminals?
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	Page 193		Page 195
1 .	Q. I don't know where I've got it. Bear with me.	1	A. I see that B'Tselem is reporting that this confession
2	Have you ever seen this document before?	2	was ruled inadmissible because it was given unwillingly,
3	A. I believe so.	3	and that such a decision is unusual.
4	MR. YALOWITZ: Let's see if we can find it in your report.	4	BY MR. YALOWITZ:
5	I'm quite sure I got it from your report. Why don't	5	Q. The court held a hearing I'm just looking for this.
6	do we have do we have an Internet connection? Why	6	Do you recall that the court held a hearing to decide
7	don't we just check it. Why don't we just check it.	7	whether the confession was willing or unwilling?
8	You know, I did it myself, I typed it in your URL,	8	MR. HILL: Objection, lack of foundation.
9	so I think this is it, but I'm just not 100 percent	9	A. I don't.
10	sure. I'm quite sure I got it from your report, but I'm	10	BY MR. YALOWITZ:
11	just not sure where.	11	Q. Here it is. So in the second paragraph, fourth line,
12	REPORTER: Do you mind if we just had a quick break	12	the sentence begins:
13	MR. YALOWITZ: Yeah. No, let's take a break; we'll try to	13	"In the court hearing, Hamidah, who was represented
14	figure this out off the record.	14	by attorney Tareq Barghout, testified that he had
15	Q. Anyway, before we go off, you have seen it?	15	confessed only due to the interrogators' pressure."
16	A. I believe so.	16	Right?
17	Q. And did you cite it in your report?	17	A. Yes.
18	A. That, I don't recall. As I said, I don't think it's	18	Q. So the court held a hearing about his confession; right?
19	what I'm referring to in footnote 85.	19	MR. HILL: Objection, lack of foundation.
20	MR. YALOWITZ: Okay, let's go off, at Fiona's request.	20	A. According to this B'Tselem report, that's what happened.
21	(4:07 p.m.)	21	BY MR. YALOWITZ:
22	(A break was taken.)	22	Q. And you found B'Tselem to be a reliable reporter of the
23	(4:16 p.m.)	23	facts; right?
24	BY MR. YALOWITZ:	24	A. Generally speaking, yes, I find it to be a credible
25	Q. We were talking before the break about political	25	human rights organization.
	Page 194		Page 196
1	prisoners	1	Q. And are you aware of the variety of of reporting
2	A. Yes.	2	channels for allegations of coercion by Palestinian
3	Q and crime; remember that?	3	prisoners on the part of Israeli interrogators?
4	A. Yes.	4	MR. HILL: Objection, lack of foundation, vague.
5	Q. So do you know Michael Sfard?	5	BY MR. YALOWITZ:
6	A. No.	6	Q. It wasn't a very well-formed question. Did you
7	Q. Do you know who he is?	7	understand it, or should I say it again?
8	A. I've heard the name.	8	A. Say it again, please.
9	Q. He's a human rights lawyer in Israel.	9	Q. Sure.
10	A. Okay.	10	You've alleged in your report that there is coercion
11	Q. He worked on a report with LAW, because he was	11	of Palestinian prisoners in interrogations by Israeli
12	associated with the Public Committee Against Torture in	12	officials; right?
13	Israel. Is that ringing a bell to you?	13	A. Yes.
14	A. I'm familiar with the Public Committee Against Torture;	14	
	I don't know Mr. Sfard.		Q. And you've used that to call into question the
15		15 16	convictions of various Palestinians for acts that you
16	Q. All right. I'll leave that alone; okay.	16 17	and I have agreed on are terrorism; is that true?
17	Look at exhibit 19 with me.		MR. HILL: Objection, misstates the witness's testimony.
18	A. Okay.	18	She can respond.
19	BY MR. YALOWITZ:	19	A. No, that's not what I do in my report. What I do is
20	Q. Do you have that in front of you?	20	call on countless human rights organizations,
21	A. Yes.	21	documentation of the the practice of receiving forced
22	Q. That's a case report about an Israeli military court	22	confession from Palestinian prisoners in Israeli jails,
23	acquitting a defendant on the ground that his	23	and I call on that information as a way of pointing out
24	post-arrest statements were involuntary; right?	24 25	some of the vaguenesses and inaccuracies of conclusion or of logic in Marcus's report, specifically.
25	MR. HILL: Objection, lack of foundation.		

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1 .	BY MR. YALOWITZ:	1	BY MR. YALOWITZ:
2	Q. Okay. Thank you for that clarification.	2	Q. That's all you can think of?
3	So first of all, I have it right; you certainly	3	A. I can think of what any reasonable detainee or family of
4	don't have an opinion about any of the 21 convictions	4	a detainee would in Palestinian occupied
5	that relate to our case. Right?	5	Palestinian territories, I can think of about three
6	MR. HILL: Objection, lack of foundation.	6	channels that they may think of pursuing.
7	A. I don't know no, I don't have an opinion about those	7	Q. Is it fair to say that I think we talked about this
8	specific cases.	8	at the beginning of your deposition: Is it fair to say
9	BY MR. YALOWITZ:	9	that this just really isn't your area of expertise,
10	Q. And you don't have an opinion on whether Marwan	10	interrogation techniques?
11	Barghouti's confession was freely given; right?	11	MR. HILL: Objection, asked and answered, misstates the
12	MR. HILL: Objection, lack of foundation.	12	witness's testimony. But she can respond again.
13	A. Sorry, I have no I have no basis for for having an	13	A. My area of expertise is in understanding how
14	opinion.	14	Palestinians perceive their life and situation under
15	BY MR. YALOWITZ:	15	Israeli occupation. I am not an expert in Israeli legal
16	Q. Do you have a sense as to how many channels there are	16	systems; I am not an international human rights or
17	for Palestinians to complain of maltreatment at the	17	humanitarian law expert.
18	hands of the Israeli authorities in custody?	18	BY MR. YALOWITZ:
19	A. I have a sense, based on reading of multiple human	19	Q. Thank you.
20	rights organizations' reports as well as UN reports,	20	Is do you recall an individual named Fares Ouda?
21	that the majority of Palestinians who do try to object	21	MR. HILL: Objection, lack of foundation.
22	to their treatment in Israeli prisons receive no	22	A. I recall reading about Fares Ouda.
23	satisfaction, and that as a result, many Palestinians	23	BY MR. YALOWITZ:
24	who are maltreated do not feel like there's any point in	24	Q. What what do you understand Fares Ouda did?
25	wasting their time or money or energy in trying to seek	25	MR. HILL: Objection, lack of foundation.
	Page 198		·
1		1	Page 200
1	any kind of compensation or justice in a military court	1	A. I recall reading about Fares Ouda being a teenager or
2	system that is set up to uphold an occupation that they	2	adolescent Palestinian, I believe from the Gaza Strip,
3	resist.	3	who was killed at I believe at a at a clash in
4 5	When the judgers and the judged are the same people,	4	which he was throwing stones at an Israeli tank, and he
6	it's very difficult for anyone to expect actual justice	5 6	was killed. I believe it's reported that he was killed
-	to come out at the end. And I believe that's a point		either by fire from the tank or from Israeli forces.
7	that B'Tselem, among other human rights organizations,	7	BY MR. YALOWITZ:
8	has made; including, I believe, UN human rights	8	Q. Fares Ouda was 14 years old when he died; right?
9	investigations as well.	9	MR. HILL: Objection, lack of foundation.
10	MR. YALOWITZ: What was my question? Can you find it?	10	A. I recall that he was a youth. I don't know the exact
11	(Record read.)	11	date.
12	BY MR. YALOWITZ:	12	BY MR. YALOWITZ:
13	A. Can you answer my question "yes" or "no"?	13	Q. Are you aware, sitting here today, that he made
	MR. HILL: Objection.	14	a wreath, a funeral wreath, and wrote on the funeral
14			01 111 5 0 1 110
15	BY MR. YALOWITZ:	15	wreath "The Shahid, Fares Ouda"?
15 16	Q. Do you have a sense of how many channels there are for	16	MR. HILL: Objection, lack of foundation.
15 16 17	Q. Do you have a sense of how many channels there are for complaints?	16 17	MR. HILL: Objection, lack of foundation. A. I recall reading a news report that reported that he did
15 16 17 18	Q. Do you have a sense of how many channels there are for complaints? MR. HILL: Objection, asked and answered, lack of	16 17 18	MR. HILL: Objection, lack of foundation.A. I recall reading a news report that reported that he did this.
15 16 17 18 19	Q. Do you have a sense of how many channels there are for complaints?MR. HILL: Objection, asked and answered, lack of foundation, vague. The witness can respond again.	16 17 18 19	MR. HILL: Objection, lack of foundation.A. I recall reading a news report that reported that he did this.BY MR. YALOWITZ:
15 16 17 18 19 20	Q. Do you have a sense of how many channels there are for complaints?MR. HILL: Objection, asked and answered, lack of foundation, vague. The witness can respond again.A. I have a sense of some channels that could be pursued.	16 17 18 19 20	 MR. HILL: Objection, lack of foundation. A. I recall reading a news report that reported that he did this. BY MR. YALOWITZ: Q. Is is that typical of 14-year-olds in the Gaza Strip
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15 16 17 18 19 20 21 22	 Q. Do you have a sense of how many channels there are for complaints? MR. HILL: Objection, asked and answered, lack of foundation, vague. The witness can respond again. A. I have a sense of some channels that could be pursued. BY MR. YALOWITZ: Q. How many do you think there are? 	16 17 18 19 20 21	 MR. HILL: Objection, lack of foundation. A. I recall reading a news report that reported that he did this. BY MR. YALOWITZ: Q. Is is that typical of 14-year-olds in the Gaza Strip and the West Bank, that they that they preordain their deaths by writing "The Martyr, Fares Ouda," or

1 · 2 · 3 · 4	Page 201		Page 203
2	themselves "Martyr" and writing this on a wreath, but	1	Q. Do you think that the children were appropriately
	I do have a strong sense that many youth, during	2	enthusiastic in cheering for the martyr Fares Ouda?
4	especially the Second Intifada, as well as adults,	3	MR. HILL: Objection, vague, lack of foundation.
	had had a sense that they could be killed at any	4	A. I have no basis from which to make an assessment about
5	time.		what Palestinian children's cheering is appropriate or
6	BY MR. YALOWITZ:	6	not.
7	Q. Did did you ever see images of Yasser Arafat	7	BY MR. YALOWITZ:
8	encouraging children to idolize Fares Ouda?	8	Q. Do you think it was incitement for Arafat to be telling
9	MR. HILL: Objection, lack of foundation.	9	children, "Be like Fares Ouda"?
10	A. I do not recall seeing Yasser Arafat trying to encourage	10	A. No, I don't think that first of all, I don't think
11	children to emulate Fares Ouda.	11	that Arafat was saying "Be like Fares Ouda." I think
12	BY MR. YALOWITZ:	12	that he was expressing a nationalist pride in
13	Q. Why don't we show you a video; see if that refreshes	13	steadfastness in the face of the occupation, and he was
14	your recollection.	14	expressing a nationalist pride for the spirit of
15	(Video played.)	15	self-sacrifice that is part of a nationalist situation.
16	BY MR. YALOWITZ:	16	Q. Do you think it's okay for children 14 and under to
17	Q. Have you ever seen videos like that before?	17	aspire to die for their country?
18	A. No.	18	A. I understand why Palestinians of all ages felt
19	Q. What do you think?	19	compelled, ready and willing to sacrifice themselves,
20	MR. HILL: Objection, vague.	20	because they thought if they thought that it would
21	A. I think that Arafat was speaking about the values of	21	bring an end to occupation.
22	Palestinian society that appreciates, as he said,	22	I also understand that there was a variety of
23	steadfastness and self-sacrifice in the way of	23	efforts among Palestinians, throughout Palestinian
24	confronting the occupation.	24	society, to channel Palestinian children's nationalist
25	And I think that in addition, Fares Ouda in this	25	spirit and energies in ways that were less dangerous
	Page 202		Page 204
1	context represents a symbol of suffering of youth who	1	than going bare-chested with a rock to confront Israeli
2	are killed for throwing stones at tanks, and the values	2	solders in tanks that were, according to the statistics
3	of self-sacrifice are part of a nationalist context that	3	of the Second Intifada, very likely to to fire at
4	are typical of nationalist and resistance contexts in	4	unarmed youth.
5	many other places in many other places, in many other	5	And so there were other kinds of outlets that were
6	areas.	6	being presented to children to continue their education,
7	BY MR. YALOWITZ:	7	to express themselves in demonstrations, and to stay out
8	Q. Did you see the children cheering about Fares Ouda on	8	of harm's way.
9	the video there?	9	Q. Do you are you familiar with the slogan "A million
	MR. HILL: Objection, lack of foundation.	10	martyrs marching to Jerusalem"?
10	A. I saw children cheering, and I saw Arafat speaking.	11	MR. HILL: Objection, lack of foundation.
10 11			WIN. THEE. Objection, tack of foundation.
11 12	BY MR. YALOWITZ:	12	A. I believe that is something that Arafat said in a
11	Q. Did you you didn't make a connection between the two?	13	A. I believe that is something that Arafat said in a speech.
11 12 13 14	Q. Did you you didn't make a connection between the two?A. I don't know what those children were specifically	13 14	A. I believe that is something that Arafat said in a speech.BY MR. YALOWITZ:
11 12 13 14 15	Q. Did you you didn't make a connection between the two?A. I don't know what those children were specifically cheering, but given the fact that the speech was about	13 14 15	A. I believe that is something that Arafat said in a speech.BY MR. YALOWITZ:Q. Do you think that's incitement?
11 12 13 14 15	 Q. Did you you didn't make a connection between the two? A. I don't know what those children were specifically cheering, but given the fact that the speech was about Palestinian nationalist values, and because this was 	13 14 15 16	A. I believe that is something that Arafat said in a speech.BY MR. YALOWITZ:Q. Do you think that's incitement?A. No.
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11 12 13 14 15 16 17 18 19 20 21 22	Q. Did you you didn't make a connection between the two? A. I don't know what those children were specifically cheering, but given the fact that the speech was about Palestinian nationalist values, and because this was expressed by a president who was expressing also appreciation or even pride in the fact that Palestinians are willing to to fight the occupation, it makes sense to me that the children appreciated that as well, because they also were living under the occupation and living in a situation I don't know when this video	13 14 15 16 17 18 19 20 21	 A. I believe that is something that Arafat said in a speech. BY MR. YALOWITZ: Q. Do you think that's incitement? A. No. Q. Can you see how that would be perceived as incitement? A. Given the fact that martyrdom, in Palestinian society, was a term of both solidarity for people who died as a result of occupation violence, given that martyrdom reference referred to or the term "martyr" referred to anyone who was deemed to have died as a result of
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11 12 13 14 15 16 17 18 19 20 21 22	Q. Did you you didn't make a connection between the two? A. I don't know what those children were specifically cheering, but given the fact that the speech was about Palestinian nationalist values, and because this was expressed by a president who was expressing also appreciation or even pride in the fact that Palestinians are willing to to fight the occupation, it makes sense to me that the children appreciated that as well, because they also were living under the occupation and living in a situation I don't know when this video	13 14 15 16 17 18 19 20 21	 A. I believe that is something that Arafat said in a speech. BY MR. YALOWITZ: Q. Do you think that's incitement? A. No. Q. Can you see how that would be perceived as incitement? A. Given the fact that martyrdom, in Palestinian society, was a term of both solidarity for people who died as a result of occupation violence, given that martyrdom reference referred to or the term "martyr" referred to anyone who was deemed to have died as a result of

	Page 205		Page 207
1	their relative, I don't think that this kind of	1	die or be killed in the service of achieving Palestinian
2	expression was one of incitement, but was rather a term	2	nationalist independence.
3	of appreciation for people who expressed whether	3	BY MR. YALOWITZ:
4	through living or dying expressed values of	4	Q. The people that you just described includes people who
5	a nationalist society that appreciated the importance of	5	died committing acts of violence against Israeli
6	self-sacrifice and resistance to a belligerent military	6	civilians; right?
7	occupation.	7	A. They were labeled martyrs as well, yes.
8	Q. Okay, I really don't get that. Are you saying that	8	Q. All right. Let's give you some context; let's see if we
9	"A million martyrs marching to Jerusalem" was respect of	9	can find a video of Arafat leading the "million martyrs
10	people who had already died, like they were zombies or	10	to Jerusalem" chant.
11	something?	11	(Video played.)
12	MR. HILL: Objection. Argumentative. The witness can	12	BY MR. YALOWITZ:
13	respond.	13	Q. Does that give you any context for whether "millions of
14	A. I don't know the context in which Arafat made this	14	martyrs marching to Jerusalem" is respect for those who
15	statement, or what else he said before or after the	15	died versus incitement to belligerent violence?
16	statement, if I'm correct in thinking that it was	16	A. It gives me further understanding of the fact that there
17	Arafat, and just to say that "martyr" the term	17	seems to be a statement of nationalist enthusiasm and
18	"martyr" refers to anyone who is deemed to have died as	18	pride for the cause of liberation from occupation, and
19	a result of occupation, regardless of whether or not	19	potentially a future state with Jerusalem as its
20	they were somebody who was shot dead walking home from	20	capital, because this is a standard Palestinian
21	the grocery store or shot dead sitting in a classroom or	21	nationalist goal.
22	killed underneath the demolition bulldozers of the	22	Martyrs are not people the term "martyr" does not
23	Israeli occupation army, in addition to people who were	23	refer to people specifically who have or will commit any
24	deemed to have been to have died as a result of the	24	kind of violence; it's not a specific reference to
25	occupation, or in trying to end the occupation through	25	people who commit violence that would be categorized as
	Page 206		Page 208
1	other kinds of acts or violent acts.	1	terrorism. Martyrs are also people who the term
2	So because the term "martyr" encompasses this	2	would also be used to refer to somebody who has died
3	variety of kinds of people, and because the term is	3	committing what the UN would regard as an
4	a heavily symbolic term that is primarily a term of	4	internationally recognized right of resistance to
5	respect and appreciation for Palestinian nationalist	5	a belligerent military occupation.
6	values, on that basis, I cannot come to the conclusion	6	Q. So you keep saying the UN recognizes a right of military
7	that that statement was a statement of incitement.	7	resistance, or something like that; I don't I don't
8	BY MR. YALOWITZ:	8	want to argue with you about that. You're not a
9	Q. Dr. Allen, a million martyrs marching to Jerusalem were	9	you're not expressing any opinions on the legality of
10	not people walking home from school; right?	10	what went on in the Second Intifada, are you?
11	MR. HILL: Objection, argumentative. The witness can	11	A. What I'm referring to is the fact that Palestinians
12	respond.	12	understand that they have an internationally recognized
13	A. I don't know that people hearing that statement had	13	right to use violence in the cause of seeking liberation
14	a specific idea of what Arafat was referring to.	14	from occupation.
15	I don't know.	15	Q. Do you you saw that that video, "Millions of martyrs
16	BY MR. YALOWITZ:	16	marching to Jerusalem," was August of 2002; did you see
17	Q. I mean, marching to Jerusalem, that does suggests an	17	that?
18	act of belligerence; right?	18	MR. HILL: Objection, lack of foundation.
	· · · · · · · · · · · · · · · · · · ·	1.0	A. According to the translation subtitles.
19	MR. HILL: Objection, lack of foundation.	19	The file of the distribution successes.
	MR. HILL: Objection, lack of foundation. A. Jerusalem is also a symbolic center of Palestinian	20	BY MR. YALOWITZ:
19			-
19 20	A. Jerusalem is also a symbolic center of Palestinian nationalism. It has long been regarded as the hoped-for capital of the future independent Palestinian state. So	20	BY MR. YALOWITZ: Q. Right. Do you have a sense as to how many attacks on civilians in Jerusalem took place in the 18 months
19 20 21	A. Jerusalem is also a symbolic center of Palestinian nationalism. It has long been regarded as the hoped-for capital of the future independent Palestinian state. So in a statement like that again, not knowing the rest	20 21	BY MR. YALOWITZ: Q. Right. Do you have a sense as to how many attacks on
19 20 21 22	A. Jerusalem is also a symbolic center of Palestinian nationalism. It has long been regarded as the hoped-for capital of the future independent Palestinian state. So	20 21 22	BY MR. YALOWITZ: Q. Right. Do you have a sense as to how many attacks on civilians in Jerusalem took place in the 18 months

1	Page 209		Page 211
^	BY MR. YALOWITZ:	1	military occupation, as it is in the Occupied
2	Q. More than 50?	2	Territories. And the term "martyr" does not is not
3	MR. HILL: Same objection.	3	part of typical contemporary discourse, to the best of
4	A. I don't know.	4	my knowledge, in today's Manhattan. So your
5	BY MR. YALOWITZ:	5	hypothetical is very difficult to to pursue.
6			BY MR. YALOWITZ:
7	us Pape can give us the suicide bombings.	6 7	Q. You you can't understand how people hearing
8	Do you have Pape in front of you?	8	"A million martyrs marching to Jerusalem" could perceive
9	If I can find him. Do you have Pape?	9	that as incitement to violence against civilians?
10	A. Yes.	10	That's just that doesn't compute for you?
11	Q. You see at the end of our little excerpt, he's got	11	MR. HILL: Objection, argumentative, compound, asked and
12	"Campaign Number 17" in his book, a little table of the	12	answered. The witness can respond again.
13	suicide bombings against Israeli civilians	13	A. As I said, the term "martyr" does not refer to
14	A. I see that.	14	specifically people committing violence, whether
15	Q during the Al-Aqsa Intifada. You see that; right?	15	internationally condoned or not. As I have explained,
16	A. Yes.	16	generally, the term is understood in Palestinian society
17	Q. Pape lists 63 suicide bombings in Israel in the months	17	as referring to anyone who is deemed to have died as
18	leading up to August of 2002; right?	18	a result of the occupation.
19	MR. HILL: Objection, lack of foundation.	19	BY MR. YALOWITZ:
20	A. I haven't added up the numbers that he has in the	20	Q. Do you think it's okay for young children to be taught
21	"Killed" column from October till August.	21	that martyrdom is sweet?
22	BY MR. YALOWITZ:	22	MR. HILL: Objection, vague, lack of foundation. The
23	Q. Right; I'm just looking at the number of incidents. Do	23	witness can respond.
24	you see he's got each	24	A. I think that in a nationalist context, where "martyrdom"
25	A. I see.	25	refers to people who are deemed to have sacrificed their
-	Page 210	-	Page 212
1	Q incident numbered separately?	1	lives, intentionally or not, for a nationalist cause of
2	A. I understand. I understand.	2	liberation from occupation, it makes sense to me that
3	Q. And he's tallied up 63 incidents	3	the value of self-sacrifice, or the willingness to to
4	A. Okay.		
		4	be steadfast and endure the effects of occupation, it
5	Q with and then he's got sometimes zero are	5	be steadfast and endure the effects of occupation, it makes sense to me that people of all ages would come to
6	killed, sometimes 1, 2, 11, 28, 17, 19; right? You see	5 6	be steadfast and endure the effects of occupation, it makes sense to me that people of all ages would come to appreciate those values.
6 7	killed, sometimes 1, 2, 11, 28, 17, 19; right? You see that?	5 6 7	be steadfast and endure the effects of occupation, it makes sense to me that people of all ages would come to appreciate those values. BY MR. YALOWITZ:
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1 2	Page 213		Page 215
2	BY MR. YALOWITZ:	1	So in answer to your question, I don't I don't
	Q. Did do you think it's okay for the Palestinian	2	see the PA as being responsible for people upholding
3	Authority to put on television a program showing	3	those values.
4	11-year-old children encouraging others to blow	4	BY MR. YALOWITZ:
5	themselves up?	5	Q. Do you agree with the values expressed by those
6	MR. HILL: Objection, lack of foundation.	6	11-year-old children?
7	A. I don't know of a Palestinian Authority program that did	7	A. I don't know what you mean by "agree." I personally do
8	this.	8	not hold the view that death is sweet, but I can
9	BY MR. YALOWITZ:	9	understand why people living in the situation they were
10	Q. Maybe I can help you out. Do you want to see one?	10	living in came to hold that view. I think it's sad that
11	A. I can follow your hypothetical.	11	children of whatever age came to feel that way.
12	Q. Let's watch the video together.	12	Q. I heard it's not sad; I heard it's child abuse. Do you
13	A. As you wish.	13	agree with that?
14	(Video played.)	14	MR. HILL: Objection, argumentative. The witness can
15	BY MR. YALOWITZ:	15	respond.
16	Q. Where do you think an 11-year-old learns that Shihada is	16	A. You're asking me if I agree that it's child abuse that
17	beautiful?	17	children are raised in a situation of extreme violence
18	MR. HILL: Objection, lack of foundation.	18	from an Israeli occupation?
19	A. I think that in a context of occupation, and nationalist	19	BY MR. YALOWITZ:
20	struggle against that occupation, in which the term	20	Q. No, I'm not asking that.
21	"Shihada" refers to people who die or are killed as	21	A. What are you asking?
22	a result of that situation, people living in a context	22	Q. I'm asking, do you think it's child abuse to teach your
23	of people living in this context learn from the	23	children that death is sweet and that they should blow
24	context, and they learn from they learn from	24	themselves up amongst civilians?
25	a variety of sources about what nationalist values are.	25	MR. HILL: Same objection.
	Page 214		Page 216
1	And the value of resistance to occupation is,	1	A. I believe that when children came to the conclusion that
2	I think, a natural value for people living in conditions	2	it's hypothetically a good idea to die, or be killed, or
3	of extreme hardship, oppression and lack of freedom.	3	kill, that they come to this view as a result of the
4	The fact that so many people came to believe that death	4	extreme conditions of life under a relentlessly stifling
5	was better than living in those conditions is, I think,	5	occupation.
6	an indication of how horrific those conditions were.	6	BY MR. YALOWITZ:
7	BY MR. YALOWITZ:	7	Q. Let me show you a document we've marked as Allen 20.
8	Q. You don't and it's your opinion that the leadership	8	(Exhibit 20 marked for identification.)
9	of the Palestinian Authority and the PLO had nothing to	9	BY MR. YALOWITZ:
10	do with the social value that martyrdom is sweet and	10	Q. This is an article you wrote; right?
11	it's natural to blow yourself up? Is that your is	11	A. Yes.
12	that your opinion?	12	Q. It's about suicide bombers and martyrs in Palestine;
13	MR. HILL: Objection, lack of foundation.	13	right?
	A. I think that the value of martyrdom and self-sacrifice	14	A. It's about Palestinian views of Palestinian suicide
14	in the way of national liberation has been one that has	15	
14 15	·		bombers and martyrs.
14 15 16	existed in Palestinian society for decades. I believe	16	Q. If you turn with me to the last paragraph of your
14 15 16 17	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term	16 17	Q. If you turn with me to the last paragraph of your article.
14 15 16 17 18	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life	16 17 18	Q. If you turn with me to the last paragraph of your article. Do you have that before you?
14 15 16 17 18	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life under an occupation.	16 17 18 19	Q. If you turn with me to the last paragraph of your article.Do you have that before you?A. Yes.
14 15 16 17 18 19 20	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life under an occupation. I think that the values that came to permeate	16 17 18 19 20	Q. If you turn with me to the last paragraph of your article.Do you have that before you?A. Yes.Q. The last two sentences of your article read:
14 15 16 17 18 19 20 21	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life under an occupation. I think that the values that came to permeate Palestinian society, especially during the Second	16 17 18 19 20 21	 Q. If you turn with me to the last paragraph of your article. Do you have that before you? A. Yes. Q. The last two sentences of your article read: "A common observation here is that Israeli
14 15 16 17 18 19 20 21	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life under an occupation. I think that the values that came to permeate Palestinian society, especially during the Second Intifada, were I mean, I don't think about values as	16 17 18 19 20 21	 Q. If you turn with me to the last paragraph of your article. Do you have that before you? A. Yes. Q. The last two sentences of your article read: "A common observation here is that Israeli occupation can kill anyone, anytime, whether you're
14 15 16 17 18 19 20 21 22 23	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life under an occupation. I think that the values that came to permeate Palestinian society, especially during the Second Intifada, were I mean, I don't think about values as being a product or created by specific individuals or	16 17 18 19 20 21 22	 Q. If you turn with me to the last paragraph of your article. Do you have that before you? A. Yes. Q. The last two sentences of your article read: "A common observation here is that Israeli occupation can kill anyone, anytime, whether you're sitting at home watching TV, or out shooting at
14 15 16 17 18 19 20 21	existed in Palestinian society for decades. I believe that that value is partly a legacy of long-term nationalist struggle and a legacy of decades of life under an occupation. I think that the values that came to permeate Palestinian society, especially during the Second Intifada, were I mean, I don't think about values as	16 17 18 19 20 21	 Q. If you turn with me to the last paragraph of your article. Do you have that before you? A. Yes. Q. The last two sentences of your article read: "A common observation here is that Israeli occupation can kill anyone, anytime, whether you're

	Page 217		Page 219
1	A. Yes.	1	CERTIFICATE OF DEPONENT
2	Q. You wrote that; right?	2	
3	A. I wrote that.	3	I, DR. LORI ALLEN, hereby certify that I have read the foregoing
4	Q. Why did you write "at least suicide bombers go out	4	pages of my deposition of testimony taken in these
5	fighting"?	5	proceedings on Tuesday, November 19, 2013, and, with the
6	A. Because that's the view of Palestinians who often in	6	exception of the changes listed on the next page and/or
7	conversations with people, and they're trying to explain	7	corrections, if any, find them to be a true and accurate
8	to me their their support for suicide bombings, one	8	transcription thereof.
9	of the the reasons they could support these kinds of	9	
10	acts is because they felt like at least these people are	10	
11	not dying randomly, sitting at home; they are dying	11	
12	doing something active. And in the view of some of	12	
13	these people, they thought that this was a way to to	13	Signed:
14	cause a change.	14	Name: DR. LORI ALLEN
15	Q. I mean, don't you think that's incredibly misguided, to	15	Date:
16	think that at least you're going out fighting if you	16	
17	blow yourself up amongst civilians?	17	
18	A. I do think that it I wouldn't say I don't know if	18	Signed and subscribed to before me
19	"misguided" is the word that I would use. I would say	19	this day of, 2013.
20	that that it's horrible and sad that people live in	20	NOTA DV DUDUC
21	a situation such that they get to this point, where	21 22	NOTARY PUBLIC
22	where they would feel that way or act on that feeling.		
23 24	MR. YALOWITZ: Let's pause for a few minutes. I think we	23 24	
24 25	might be finished. (5:01 p.m.)	25	
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1	(A break was taken.)	1	CERTIFICATE OF COURT REPORTER
2	(5:08 p.m.)	2	
3	MR. YALOWITZ: Okay, we've a taken a short break, and	3	I, FIONA FARSON, with TransPerfect Legal Solutions, hereby
4	I don't have any further questions. So unless your	4	certify that the testimony of the witness Lori Allen in the
5	counsel wants to ask you questions, I think we're	5	foregoing transcript, taken on Tuesday, November 19, 2013
6	finished.	6	was recorded by me in machine shorthand and was thereafter
7	MR. HILL: I don't have any questions for Dr. Allen at this	7	transcribed by me; and that the foregoing transcript is a
8	time. She will read and sign.	8	true and accurate verbatim record of the said testimony.
9	By my accounting, we're just over six hours on the	9	I fourth an agentify that I am not a relative annularies
10 11	record, so can you prepare for six and a half to seven?	10 11	I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to
12		12	the within cause, nor am I an employee or relative of any
13	MR. YALOWITZ: No, we'll do six. MR. HILL: Six it is.	13	counsel for the parties, nor am I in any way interested in
14	MR. YALOWITZ: You're always rounding up.	14	the outcome of the within cause.
15	MR. HILL: Off the record.	15	the outcome of the within cause.
16	(5:09 p.m.)	16	
17	(Whereupon the deposition concluded.)	17	
18	(Whereupon the deposition concluded.)	18	
19		19	Signed:
20		20	FIONA FARSON
21		21	Dated: Tuesday, November 19, 2013
22		22	•, • • •
23		23	
24		24	
25		25	

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3	Page/Line No. Description Reason for change
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21	
22	Signed:
23	Name: DR. LORI ALLEN
24	
25	

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